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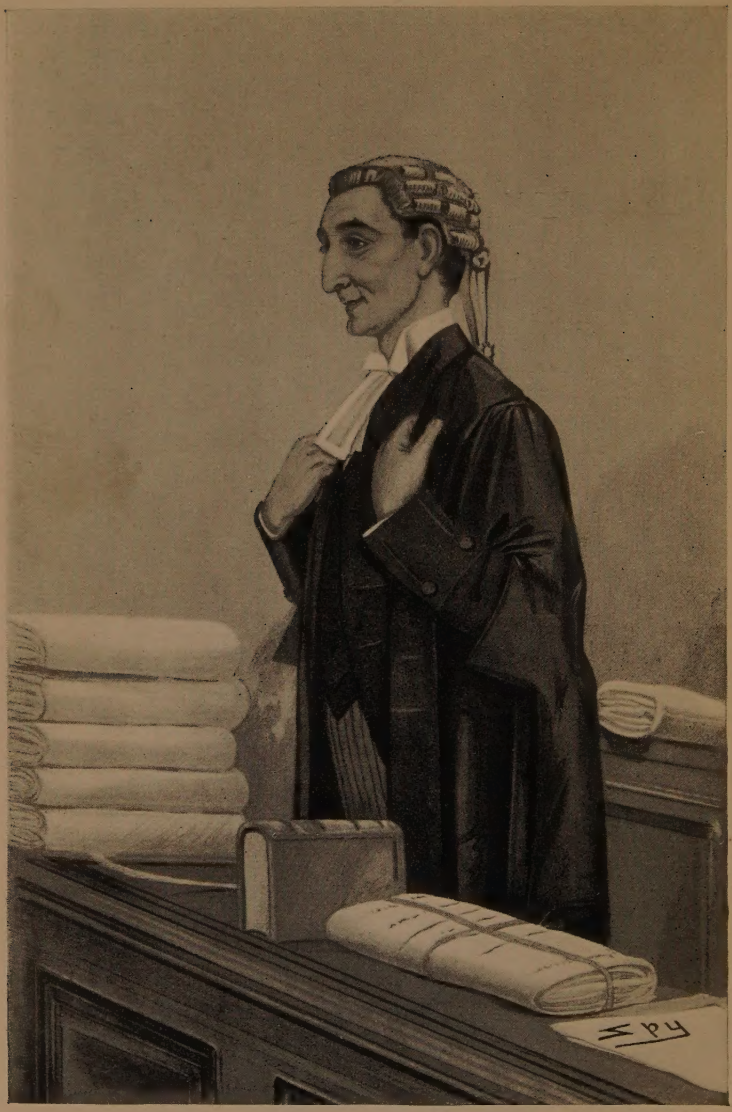

"RUFUS." [*Spy Cartoon, Vanity Fair.*

LORD READING

BY

C. J. C. STREET
O.B.E., M.C.

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AUTHOR'S NOTE

FOR certain aspects of Lord Reading's earlier years as Viceroy I am indebted to *The Earl of Reading*, by Syed Sirdar Ali Khan (London: Sir Isaac Pitman & Sons, Ltd., 1924), and especially to the valuable appendix to that book.

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CHAPTER I

The Outset of a Career

AT dawn one morning during the latter half of the nineteenth century, a ship was approaching the mouth of the Hoogly. At her mast-head a ship's-boy stared forward expectantly with the eager curiosity of youth. At length a dull smudge appeared upon the horizon; it was land, the first land the ship had sighted for many long days.

The land was India, and the boy's name was Rufus Isaacs. He was not to approach that land again until he reached it once more as its Viceroy. Between these two glimpses of India lies the romance of Rufus Isaac's life.

Rufus Isaacs was born on October 10th, 1860. The son of a successful City merchant, his obvious destiny seemed to be to succeed his father, and to find in commerce the field for such talents as he might possess. There was no lack of scope for him in this direction. At that time trade in the City was rapidly expanding, and commerce seemed to offer every opportunity to a boy whose family already had extensive connections. It was a natural thing that young Rufus should be given a commercial training, and that he should be expected to follow the family traditions.

In due course he was sent to University College School, where he exhibited the first signs of that quick perception which was later to be of such great service to him, particularly at the Bar. But he was not of the plodding sort which achieves solid scholastic success. At a very early age, he showed signs that he was not of the type which can be confined to any predestined path. He evinced a curious restlessness, the first symptoms of independence of thought. There was as yet no promise of the ability which he was to display in later years, nor was there evidence of a leaning towards any particular career. His imagination was too vivid to be content with the acquisition of mere routine learning. As is so frequently the case with men of his temperament, he felt himself cramped and circumscribed by his surroundings. The career which appeared to be his natural destiny held no appeal for him; he did not feel for it that vital spark of enthusiasm without which no boy can really give his mind to his education.

The imagination of the English turns towards the sea, and Rufus Isaacs succumbed to its lure. It was thus that he saw India for the first time, saw it with the eyes of youth, which find romance in any country but their own. To the novelty and strangeness of this new land was added the glamour of the East. But it is not to be supposed that Rufus Isaacs felt any prophetic inspiration of the great part that he was one day to play in India's history. He saw it first as a lad who had deliberately abandoned the path which destiny seemed to have marked out for him.

He was a rebel, an idealist whose craving for romance had triumphed over the bonds that held him to a course of assured and humdrum prosperity. Yet, by the time that he first looked upon the magic shores of India, something of the bitterness of realization must have intruded upon the dreams of youth. The sea is a hard taskmaster, exacting the very utmost that is in every man who follows her. She demands from him labour and weariness and the sickness of monotony. Only rarely and for a fleeting instant does she withdraw the veil within which she hides herself, affording a glimpse of the romance and mystery which draw men to her. And in the intervals her service is the dreary slavery of disillusion.

But although Rufus Isaacs' education was thus broken, it does not follow that his time was altogether wasted. In after years he was to display a rapid grasp of the point of view of others, and an understanding of outlooks that were not his own. Who can doubt that the groundwork of this quickness of perception was laid in his early days, when he exchanged experience of the world for the narrower and more rigid teachings of his preceptors? No doubt he lost some of the rudiments of knowledge, a loss which cost him many hours of weary labour to make up subsequently, but in return he gained an insight into life which served him in good stead.

His education was completed abroad, at Brussels and Hanover, and here again he must have gained a wider experience than fell to the lot of the average English schoolboy of his day. And then, to the young

man with this curiously varied boyhood behind him was presented the choice of his future profession.

The routine of commerce could never have appealed to him. The old adventurous spirit was still strong within him, the spirit which had impelled him to seek on the sea the cravings of his inner nature. But his experience had taught him that adventure and excitement can be found in the mental as well as in the physical sphere, that there are occupations, even in the City of London, which demand a cool head, a quick perception, and a rapid judgment, and that in the exercise of these is to be found the satisfaction of the adventurous spirit. Inspired, consciously or unconsciously, by these motives, he joined the Stock Exchange.

He was unsuccessful. It might have been thought that a man who was subsequently to display such extraordinary powers of judgment would have made his mark in any profession in which that quality was requisite. But Rufus Isaacs had not yet found the direction in which his abilities could most freely exercise themselves. However, his time on the Stock Exchange was by no means wasted. He gained a knowledge of the workings of that vast machine, which we vaguely call "the City," a knowledge which many years later was to be invaluable to him and to his country. The outbreak of the War found him with a long record of brilliant success behind him, and himself occupying the high post of Lord Chief Justice of England. But, in that supreme crisis, when every man was called upon to exercise the highest powers that were in him, it was not in the legal or the political spheres that he was

able to render the highest services to his country. The financial dislocation which ensued called for prompt and energetic measures on the part of the Government, and in the counsels which led to these the Lord Chief Justice took a leading part. His early experience of the Stock Exchange, wasted years though they may have seemed at the time, had contributed to his qualifications for the task laid upon him.

From the Stock Exchange he turned to the Bar. It is a remarkable fact that, when he had actually found at last the career in which his abilities were most conspicuously to display themselves, he felt at first less confidence than he had hitherto known. Several years later he publicly confessed that he dreaded failure in this new adventure, that he had no premonition of the position he was to obtain as a leading advocate. Yet, as it proved, his rise to fame was steady. He was called to the Bar in 1887, at the age of 27, and almost immediately he began to achieve the reputation of a brilliant lawyer. Eleven years later he took silk, and the name of Rufus Isaacs, Q.C., became a household word.

Although his Parliamentary career began in 1904, only six years after he became Queen's Counsel, it is probably as a brilliant advocate rather than as a politician that Rufus Isaacs was best known in the years before the war. Not only did the brilliance of his methods capture the imagination of the public, but the solid worth of his abilities compelled the attention of those engaged upon the most important cases. After much striving he had found his destiny,

the walk of life in which his innate abilities could find their fullest scope. It was his legal rather than his political powers which led to his appointment as Solicitor-General in 1910, and subsequently to his rapid rise to the Lord Chief Justiceship of England.

And here, perhaps, he might reasonably have imagined that he had reached the summit of his career. After many adventures, he had found his true vocation at the Bar, he had risen rapidly until he occupied one of the highest posts which are the reward of the successful lawyer. So it might have been but for the outbreak of war. Important as was the post he held, there were other directions in which his abilities could be employed in the service of his country. His tact, his experience, his knowledge of affairs contributed to fit him for the highest tasks of statesmanship. In the early months of the war he acted as the principal link between the Cabinet and the City, and as a powerful agency for unity of purpose within the Government itself.

It was mainly in a financial capacity that he first visited the United States, as head of the Anglo-French Loan Mission. The success with which he accomplished the objects of this Mission showed that his abilities were appreciated in America as they were at home. The time had come when it was essential to the allied cause that it should secure the sympathy and understanding of the United States. The Government could hardly hesitate in its choice of an Ambassador, and in 1917 Lord Reading proceeded to Washington as Special Envoy. Later in the same year he succeeded Sir Cecil Spring-

Rice as British High Commissioner and Special Ambassador.

His relations with the people of the United States, from the President downwards, were marked throughout with the utmost cordiality. Lord Reading's personality enabled him to bring the most delicate negotiations to a successful conclusion, his grasp of the complicated subject of allied war aims caused him to judge clearly the relative values of the conflicting policies which came under discussion during the fateful years of 1917 and 1918. President Masaryk, in his recent book, *The Making of a State*, speaking of his efforts for the liberation of the small nations of Europe, says: "When Lord Reading came to Washington he gave us generous support." This is only one example among many of Lord Reading's prompt recognition of the directions in which the true policy of the Allies lay.

With the close of the war, and the victory of the Allied cause, for which he had striven so earnestly, Lord Reading laid down his Ambassadorial duties and resumed his activities as Lord Chief Justice. It might have seemed that the various posts which he had occupied during the war had been but an interlude. But the gifts which Lord Reading had displayed for dealing with men and matters, for penetrating to the core of the most complicated situations and resolving them to the satisfaction of all parties, had made too great an impression to be easily forgotten. The time was at hand when his country had urgent need of these very gifts, this time within the circle of the Empire itself.

In 1921 the Viceroyalty of India became vacant

upon the retirement of Lord Chelmsford. India, in common with the rest of the world, had passed through a period of awakening during the war, which had resulted in the ferment of a rapid and largely undirected development. Fresh influences were at work, and what was virtually a fresh Constitution for India had recently been introduced. A strong man was required, possessing at the same time the qualities of tact and understanding, to control these influences for the benefit of India as a whole and to guide the first steps of the infant Constitution.

Thus it befell that Lord Reading saw India once again. Surely there can be no greater contrast than between the ship's-boy, watching with the eagerness of youth for his first landfall in the magic East, and the Viceroy landing in state upon the shores of the vast sub-continent which he was to rule in his Sovereign's name. Yet the career of Lord Reading bridges the immeasurable distance between the ship's-boy and the Viceroy. Whatever may have been the romantic dreams which inspired his youth, they can never have risen to such heights as these.

CHAPTER II

At the Bar

IN starting his career at the Bar, Rufus Isaacs made up his mind to test the truth of the adage, so irritating to most brilliant men, that genius is an infinite capacity for taking pains. He made a rule, from which he hardly ever deviated until he was raised to the Bench in 1912, and probably not even then. He went to bed every night at nine, so that he might get up at four, and break the back of the day's work before breakfast.

There is a good deal to be said for and against early morning work. Some people are never warmed up sufficiently to work their best in the early morning. Their blood is cold and sluggish; and even if early rising itself presents no difficulty, their first need is for physical exercise. These are frequently the people who do a fair day's work, eat a good dinner, become tired and dull for an hour or two afterwards, wake up about ten, and are bright and energetic until midnight, and then not ready to go to bed. Such a regimen may suit itself to some professions, but it is not well adapted to that of a barrister. There are eminent barristers who read their briefs in the small hours, and cut a pretty good figure in Court next

morning. But these are not the men who last long.

Rufus Isaacs, when he went to bed at nine o'clock, had his briefs for the next day with him. But he knew nothing about them. What is more, he did not bother himself about them. What he wanted was his seven hours' sleep, which would refresh his brain for the morning. Then he rose, winter and summer, with the same unfailing regularity, dressed and shaved, and sat down to master the papers. At eight or so, he breakfasted. At a little after nine he was in Chambers, ready for consultation with his clerk as to the immediate future programme. He was always able to make definite arrangements, because he was never behind with his briefs. Whether they were the few that came the way of the beginner, or the great fluttering mass which descended upon the head of the busy junior, it was just the same. Rufus Isaacs knew exactly what time he had to spare, and how to apportion it. And that being so, he would march off with the facts and details of the morning's cases so clear in his head, that he never looked at the papers in Court at all. They were just as clearly imprinted upon his photographic memory as they were upon the sheets of paper which lay ready to his hand.

The barrister's is generally supposed to be a tragic profession, in which many are called, but few succeed. Statistics are adduced in proof of this. But the facts are not quite so. Firstly, large numbers of men—and women also, in these days of sex equality—acquire the Bar qualification with no idea of practising at all. It is a necessary part of

their equipment in various official and semi-official capacities. In some cases the qualification is sought purely for social reasons. The latter cases account for quite a number of barristers who, in fact, never do appear in any court in this country. Nevertheless, many of them are doing excellent work in some other profession or sphere of action, in which the Bar has helped them.

Then again, there are those who made the mistake of their lives when they thought themselves cut out to be barristers. Substantially, the qualities which make for success in the Law are those which bring success in any other calling. Common sense first of all; then strength of mind and directness of purpose; then brilliance in foresight and swiftness in action. With the first quality alone, it is possible to succeed reasonably well. If the second quality is added, it means a big step forward into the foremost ranks. When the third quality is given, it means pre-eminence, always. No man who has been unable to earn a living at the Bar has possessed any of these qualities enumerated. He has failed because he had failure in him. There are men who have done well at the Bar without eloquence, without elegance, without even that extra strength and domination which wins its way over the other man. But they have treated the law as an unromantic, business-like affair, in which years of experience must necessarily bring a valuable and marketable knowledge. Rufus Isaacs, already twenty-seven, a man of the world and a man of business, did not go to the Bar as into some fanciful dream-land. Since he was both eloquent and elegant, since he had

the literary graces of speech as well as the genius of persuasive force; since he was as bold and fearless in attack as he was cautious and wary in defence; since, coming to every fresh battle fully armed with mastery of the occasion, he had no misgivings, but only the eagerness for action which is the outstanding quality of all triumphant genius, he achieved one amazing victory after another.

Solicitors are often represented as rather foolish old gentlemen, blind to steady, solid merit, but stampeding like sheep after the first rumour of a new star. They are supposed to create the reckless competition which enables the fashionable leader to put up his fees beyond all reason, while the decent, hard-working unfashionables shiver in the chilly mists of neglect. Actually, this is an erroneous conception. If anyone creates unreasonable competition for leaders, and sends their prices up, it is not the solicitor, but the client. It is the client who says he must have the best man procurable, regardless of cost—though later on, if his case goes against him, he complains bitterly enough when the bill of costs comes in. The solicitor often wastes valuable time explaining to his client that although Sir A—— B—— is undoubtedly the most brilliant and successful expert in some particular branch of the law in which the client's case is concerned, the actual circumstances do not call for his employment, and the case will be handled just as well by Mr. X—— Y——, who is quite competent to deal with it. But no, the client is not satisfied. He must have the fashionable leader, and he usually gets him. But it is certainly true that

solicitors are business men, intent on getting value for their money, and that if a young barrister attracts their attention and holds it, it is because he has something to give them, in return for which they are willing to pay their carefully guarded guineas. It was not any fanciful qualities in Rufus Isaacs which brought the solicitors crowding to his chambers. It was his businesslike attention to every detail of his task, and the bold and masterful way in which he set about it.

He was nearer thirty than twenty when he came to the Bar. He had no university training, either in legal theory or in that acquaintanceship with collegiate life which is supposed to be so useful in the greater world. He had passed a year or two at University College School, in Gower Street, which not even its greatest admirers would class as a typical public school, though there was certainly an amount of rough-and-tumble experience to be gained in the asphalt play-ground behind the engineering shops. Curiously enough, he never regretted his early experiences. We find no envious backward glances at the years he might have spent on the banks of the Granta or the Isis, instead of on the tumbled deck of the good ship *Blair Athol*. Men of determined and forceful character are not apt to regret any choice of their own making, and Rufus Isaacs, K.C., M.P., was never very sorry for the mutinous little ship's-boy whose chief art had been the neat avoidance of belaying-pins.

It was after his two years before the mast, after the very useful period as agent in Magdeburg for his father's Covent Garden fruit business, after

the unfortunate but not entirely profitless experience on the Stock Exchange, that Rufus Isaacs, at the age of twenty-four, settled down to study for the Bar. His father had hoped he would go into business, like a good boy. There was a comfortable niche awaiting him, and despite his son's restlessness and apparent inability to settle down, Joseph Isaacs felt that he would find his level. But when the young man came along and asked for help in this entirely new career, in a profession notoriously full of hazards, his father was disconcerted. Why should Rufus suddenly go out of his way to push into a profession already well supplied with able young men, who had started five years earlier than himself, and were, moreover, not handicapped by religious and racial difficulties?

Rufus replied characteristically. He would stand on his own feet. And since it appeared that England held no opportunities for him, why then he would seek and make his fortune in the Land of Opportunity. And he was on the quay, ready to ascend the gangway, when he found his mother at his side. She had followed him to Liverpool; she was begging him not to break her heart by leaving her. And if her Rufus, as the price of his return home, wished to be allowed to study for the Bar, why so he should. . . . And Joseph Isaacs came to see it in that light.

Rufus read hard, for he was more grateful to his mother than he could say. But he read as a practical man and not as a pedant, or even as a student. He concentrated on the hard kernel of the law. The Middle Temple has no record of any

outstanding success gained by him in his examinations. Yet soon after he was called, in 1887, he found no difficulty in securing admission as a pupil to the chambers of the famous barrister, Sir John Lawson Walton.

Let us take first a swift bird's-eye view of his progress. In the midst of the little Police Court and County Court matters which came his way, there arose the complicated and expensive Hansard litigation, in which his uncle, Alderman Sir Henry Isaacs, a former Lord Mayor of London, was intimately concerned. There was no reason why young Rufus should not be given a chance here, for his experience before he went to the Bar had been useful in giving him an insight into financial affairs. A whole sheaf of cases developed from the Hansard Union entanglements, and the young advocate gaily tackled one difficulty after another. They were not the difficulties which a new-comer at the Bar is usually called upon to face. Indeed, they were matters which called for the gifts of a clever accountant as well as an astute man of business. Rufus Isaacs showed at once that no accountant could have grasped the situation more swiftly, no business man could have seen the salient points more clearly, and no barrister of years' experience could have handled the material with greater skill and judgment. The Hansard cases were perhaps the most invaluable experience he could have been offered. And if it was a lucky chance which brought them along, we must remember that not one young barrister in a thousand could have made such play with them.

Rufus Isaacs showed in this situation the char-

acteristics which were to mark him out ever afterwards. He was lucid rather than rhetorical, subtly persuasive rather than showily effective, incontestable in argument rather than ingenious in sophistry. Already he exhibited with witnesses the patience, tact, urbanity and dangerous winsomeness which were to make such a name later on. He disregarded technicalities, and came straight to the point. And, most important of all, he never took advantage of any twist or turn or trick which might have served his case, but unworthily.

His first big chance came in 1891. He was briefed in the Chetwynd-Durham case, which was an important sporting arbitration before the Jockey Club. Sir Henry James was leading him, and the leader very soon found that his dark-eyed, eager-faced junior had every single point at his finger ends. There were many leading advocates in court, and quite a few solicitors of the first rank. And the way young Rufus Isaacs conducted his part of the case stamped him in their eyes as a man henceforth to be watched.

Rufus Isaacs had settled in his own mind—and the opinion of his contemporaries in both branches of the profession, as well as the concrete results, confirmed his idea—that commercial cases were the proper sphere for him ; a sphere in which he must excel because of that very varied and apparently aimless experience of his earlier years, as well as the concentrated efforts, the hard-fought struggles which had succeeded them. He therefore attached himself to the Commercial Court, over which at that time Mr. Justice Bigham presided, and it only enhanced his joy in combat to find himself matched time and again with Lawson Walton,

his former guide and mentor, and now no more than his equal. Why should he hesitate at the next step, and think that he would be any less successful as a leader than as a junior?

Those were days worth watching. The contests between the two men were splendid affairs, and no one who saw the best of them is likely to forget the scene. Lawson Walton had taught Isaacs much. But who shall instruct genius? The doughty veteran soon discovered that there existed in the younger man capacities which it would have been very unwise to undervalue. The two men, the wary veteran and the brilliant new-comer, broke many a lance against each other, always with good humour and increasing mutual esteem. Isaacs was not one of those whose heads are turned by success. Just as in later life, when he was leader of the Bar himself, he was always simple and friendly, always bright and cheery, always ready with an encouraging word to the most obscure youngster, so in these early days of success he bore himself with modesty as well as dignity. "The surest way of finding out whether a man is a good fellow," said Sir John Holker to Lord James of Hereford, "is to see whether, after a hard day's fighting at *nisi prius*, you want to walk back from Westminster to the Temple with him." There was never a time when the opponents of young Rufus Isaacs were not ready, at the end of the day's contest, to link arms with him on the walk back to Chambers.

To some extent, Rufus Isaacs escaped the initial drudgery of a barrister's career. Lawson Walton, his old leader, said of him when he was at the beginning

of his fame, " he is the only man I know who has not had to go through the grind of Quarter Sessions and County Court like the rest of us." And it is true that Rufus Isaacs had very little County Court work to do before he found himself engaged in better things. On the other hand, when we remember the impatient temperament of the man, his driving, restless ambition, the years he had spent in futile searching for the right road for his abilities, we may well conclude that even twelve months of guinea briefs in small cases must have irked him deeply. Indeed, we know it was so ; for it is on record that he was so bitterly disappointed at the outset of his career at the Bar, that he would have given it up at one time. But even as it was his mother who prevented him from going to the United States to seek his fortune when he was already standing by the gangway of the boat, so it was now his wife who dissipated his gloom and told him not to be foolish, not to expect the world to come tumbling at his feet, just because he could not bide his time awhile. His mother had made it possible for him to go to the Bar. His wife made him stick to it. He told her that he had given himself a fixed time to make good, and as the end of that time was approaching, he felt himself bound in pride to stick to his vow, and leave the law. His wife did not argue about that. She merely explained to him that so far from being a failure again, he was on the threshold of great success. And truly enough, that success came, almost immediately afterwards.

It so happened that he was in the High Court one morning, engaged on a case of minor importance,

which nevertheless he had imprinted on his photographic memory with the clearness in every detail which characterized all his work. He was on his feet, suave, handsome, well-groomed and courteous, and he made his points with a business-like ease and dexterity which looked as if it was extempore, but was, in fact, the fruit of hard and careful study in the early hours of that morning.

The judge listened carefully and approvingly. He liked this competent young man, who could show such mastery and command of a small matter, without any admixture of bumptiousness or self-conceit.

Now, it is important for young barristers that they should attract the favourable notice of High Court judges. These are the men with whom, if they are lucky, they will have to spend their working hours. And to create the right impression as early as possible is a very important thing. But there is another class of man whose approval is even more important to the young barrister. And just at that moment there walked into the Court a striking-looking gentleman of advanced middle-age, rather noticeably dressed, with a shrewd, kindly face, framed in a fringe of whiskers. He sat down and listened, nodded his head approvingly, and whispered to a brother attorney, sitting by his side in the back benches:

"Who is that young man? He knows what he is talking about—and I like his style."

"Don't you know?" was the reply. "That's young Rufus Isaacs. He's going to do big things one day."

The distinguished-looking gentleman did not as a rule accept other men's opinions, however eminent, as to whether any particular young barrister was going to be a star or not. But he noted this young man's name down on his pad. And when the great Sir George Lewis noted down a barrister's name, it meant something.

His first big brief, in the Chetwynd-Durham suit, came in 1891. This was a Jockey Club arbitration, heard before James Lowther, Prince Soltykoff, and Lord Marsh, afterwards Duke of Richmond. Rufus Isaacs appeared for Sir George Chetwynd; he was one of a number of counsel led by Sir Henry James. The issue concerned itself with the running of certain horses, and it is characteristic of Rufus Isaacs that he spent night after night working out the public form of racehorses from *Ruff's Guide*. The task was not wholly uncongenial to him, for he had the gambling spirit, and the adventurous atmosphere of the Turf appealed to him; but he was no race-goer or racing expert, and the conscientious way in which he set about familiarizing himself with a technical subject of which he had no particular experience, merely indicates the way he looked at his duty as an advocate. Here was a case which, whatever its legal difficulties, concerned itself practically with the way horses were raced against each other. Rufus Isaacs was going to get to the bottom of the business. He was not going to come into Court primed merely with legal knowledge and forensic ability, leaving the contest over the real subject matter to somebody else. He was going to be in the case from first to last, thoroughly con-

versant with his brief. Was it any wonder that he stood out from the rest of the juniors, and earned the commendation of his leader and his client ?

The years following saw a steady advance. From 1894 to 1898, he was engaged in case after case of increasing importance. He was rapidly bringing to its full development the charm which he was to exercise upon all who came into contact with him in his profession. He was already a sedative to judges, jurors, clients and even opponents. When he came into Court the atmosphere seemed to change. Irritations were appeased, black looks vanished. People turned and smiled at each other, where but a moment before they had been scowling. Isaacs was on his feet, and the judge would lean back ready to bask in the light of that sunny temperament. And the amazing thing about the man was, that the increase of work, though it left its mark upon him in some ways, never altered his temper. If he had his worries he kept them to himself.

In those days, in fact, he showed just the same qualities he was to exhibit later on in the early days of the war. We must not forget that it was Rufus Isaacs who advised on the Moratorium, and urged that the State should guarantee bills of exchange. When it was argued that the liability might run into hundreds of millions, he admitted the possibility, but pointed out that the actual loss would almost certainly be no more than a few thousands. "Let the thing be done," he said, "and see." Only a man of supreme courage and coolness would have insisted on the point and gained it. And it was that courage and coolness exhibited

at the crisis of case after case in the Commercial Court, years before he became Queen's Counsel, which set Rufus Isaacs head and shoulders above his contemporaries. They said he was not a fighter because he never fought unnecessary battles. He knew better.

No great popular advocate entirely escapes the temptation to score over an adversary. The greater the man, the more often he seeks to enhance his reputation by exhibitions of his own wit. Rufus Isaacs, in dealing with witnesses, was always too sensible to "try to be funny." Nevertheless, he is the hero of a tale which has often been told, but which will bear repeating. It was a case in which he was dealing, in his usual suave manner, with a truculent and overbearing witness, who was quite obviously lying, but was not at all disturbed in the process. Isaacs, whose patience was inexhaustible, usually put up with a certain amount of impertinence when he was cross-examining, for he knew that if he let it go on long enough, it might bring some useful admission. People often give themselves away when they think they are scoring over the lawyer on the other side. And in this case, the witness was very well satisfied. For however rude he became, the barrister was still polite.

But suddenly Rufus Isaacs' manner changed. He turned sharply to the man, pointed an accusing finger, and rapped out a new question.

"Do you drink, sir?" he asked.

"That is my business," replied the man angrily.

"Have you any other business?" was the suave retort.

The Court dissolved into laughter, and the truculent witness was so shaken that he presently wandered into the truth.

On another occasion, an eminent surgeon, who had been under cross-examination by Rufus Isaacs for a couple of days in an important case, met him in the street during the next week, and hastened to greet him.

"I have had an awful dream about you," he said, "a regular nightmare. It has gone on for days, ever since you finished cross-examining me last Friday. But early this morning it was simply terrible. I dreamt that you were cross-examining me again, and you picked me to pieces so neatly that in the end I had nothing on but bones."

Of his imperturbability, there are many stories. Perhaps the most characteristic is of a morning when, as a young and rising junior, he appeared in the Appeal Court, where the Master of the Rolls, old Lord Esher, was sitting with Lord Justice Vaughan Williams. These two veterans loved to enliven the tedious hours of intricate argument by a little game of their own, rather cruel, but salutary in its effect. When young counsel were involved in some difficulty, and wandering in the very heart of the maze, Esher or his brother would suddenly shoot out an apparently irrelevant query. The idea was to see whether they could make counsel lose the thread of his argument, and only too often they succeeded. It seldom made much difference to the case. Indeed, hard as it was on the advocate, it often jerked him back from his wanderings into the high road of reality. The two old warriors tried

the game with Rufus Isaacs. But every time they shot their interruptions at him, he caught them like a juggler, sent back a neat reply, quoted apposite cases from memory with a disarming smile, and took up his interrupted sentence at the point where he had left it off. This went on all day, and never once did he lose his temper or his thread, or fail to improve the occasion. Finally, just before the Court rose, the grim old Chancery pontiff leaned over and said: "The Court desires me to thank you, Mr. Isaacs, for the manner in which you have argued this case."

No such tribute had ever come from that quarter to any member of the Bar. Was it a wonder that Rufus Isaacs took silk two years later?

CHAPTER III

Queen's Counsel

RUFUS ISAACS was thirty-seven years of age when he became Queen's Counsel. It was young, but by no means a record. Lord Birkenhead and his contemporaries Sir John Simon and Mr. E. G. Hemmerde were both younger when they took silk. And despite all that has been said about the delay of Rufus Isaacs in choosing his career, it must not be forgotten that F. E. Smith was older when he went to the Bar, but achieved silk much more rapidly. Lord Hewart, the present Lord Chief Justice, who as Attorney-General was to congratulate him in terms of such high and eloquent commendation on his appointment as Viceroy, was actually thirty-two when he was called. But whereas these men took silk because they were ambitious, and confident that the change could not help but bring them fame and reputation, Rufus Isaacs had other reasons also, and most unusual reasons. He took silk partly as a rest cure. He had established such a leadership as a junior in the Commercial Court, that he simply could not cope with the number of his briefs. Everybody wanted to employ him. He had been an important factor in making the Commercial Court what it was meant to be, a place where

lawyers talked business; and such men were rare. Despite his immense industry and powers of application he had far too much work to do. He could not be, as a junior—unlike his more exalted colleagues—in two places at once, and he was not the kind of man to take on so much work that he could not give to every case his full and undivided attention. In a measure, he hoped that when he did take silk he would have a little more time to himself. True, he had only been at the Bar eleven years, but the last eight or nine of those years were crowded uncomfortably, and he felt that he wanted breathing space. So in 1898 he took silk and entered a new phase of his career.

It was Mr. Justice Bigham, the judge of the Commercial Court, in which Rufus Isaacs most often appeared in these years, who urged him to take silk. Bigham was among quite a number of people who later on claimed the credit of having saved the young man from death by overwork. But it was Rufus Isaacs himself who saved his practice. As barristers know well, the taking of silk may well mean a backward and not a forward step, often temporarily and sometimes permanently. Rufus Isaacs was perhaps the only outstanding junior at the Bar whose income never dropped a cent from the day he became a Q.C.

It is expected of a picturesque success like Lord Reading, that one should point to some peak period and say: "In the year so-and-so his earnings were so many thousands of pounds." Before the war, the fashionable figure was thirty thousand. Rufus Isaacs earned this yearly income more than once.

Formerly the fashionable figure had been twenty thousand, but between 1900 and 1910 the commercial leader made the twenty thousand figure seem commonplace. He was already, by the end of the nineteenth century, marked out for high judicial office in the future, and for princely remuneration meanwhile. But his real chance came in 1901, when Sir Edward Carson became Attorney-General. Carson was certainly a magnificent advocate. He had a terrible presence, and witnesses trembled before him, dreading that glowing face bent forward upon them, the deep, penetrating eyes beneath their overhanging bush of eyebrow, and the long, lean, accusing finger. Carson, in truth, was a fine lawyer, and when he took up the duties of Her Majesty's Attorney-General, the public expected someone like him as his successor.

Now, superficially, there was some resemblance between the two men. In spareness of figure, in aquiline feature, in deadly clarity, they were much alike. But there were essential differences. Carson was above all things dramatic. He could bully on occasion, and did not hesitate to do so, though never in a case where circumstances did not justify it. He could shout, he could terrify spectators as well as his victim. Isaacs had none of these characteristics. When he terrified, it was through the sudden realization that he had wound an inextricable coil about his prey, through the very courtesy and apparent inconsequence of his polite and gentle questioning. When the point of impact came, it came suddenly. The voice might be low, but the effect was deadly, and the spectators thrilled at

the sight, though it did not terrify them. There was too much artistry about it. Rufus Isaacs never bullied a witness in his life ; it was not in his nature to do so. It would have upset the whole balance of the man. It was not long, then, before people began to realize that although they might not have found another Carson for the fashionable leader, they had found a man just as good. A different man.

" Cases went well in his hands." That was the opinion of one who knew Rufus Isaacs, and judged his merits carefully and critically. And that was the quality of the man. Somehow or other, he got better terms than seemed likely in compromising cases. It is curious, knowing what we do of the courage which distinguished him all his life—from his fights at school and the rough-and-tumble on board ship, right up to that last very brave adventure—how brave few of us yet realize—when he went as Viceroy to India—that the reputation of Rufus Isaacs at the Bar in his first success was not that of a fighter. He was a conciliator, a mediator. He would advise a settlement where another man might have said " fight." And the irritating thing to his rivals was that despite this apparent timidity, despite his failure to do as boldly as they would have done, in the result he always justified himself. For his settlements on terms were almost invariably better than the Pyrrhic victories which a rasher persistence might have achieved. It is true that in the famous case of Lever Brothers *v.* " The Daily Mail," he advised settlement on terms which involved the payment of something like £250,000 in libel damages and costs to Sir William Lever, later

Lord Leverhulme, and the companies with which he was associated. And it might well be argued that no jury in the country could possibly have given greater damages than such an amount. But the critics in this matter forget that there was quite a string of libel actions involved, and that English juries have what Dr. Freud would call an enormity complex in the matter of damages for newspaper libel. If Rufus Isaacs advised settlement by the payment of a quarter of million sterling, it was because he was convinced that the plaintiffs in the case might well secure double that amount on a verdict. And since he was also convinced that his clients, however public-spirited their motives might have been, were wrong in publishing what they did publish, he was not going to advise them to make things worse by pretending that they were right.

But that was in the days when he was already a King's Counsel of standing. In many a case before then he had made and increased his reputation, either for achieving a win, or for business-like settlements which robbed defeat of half its sting. And here again, his success was due to qualities which his critics say marked him as not being a great lawyer. He never bothered about argument for the sake of argument, on legal points which might look very well in the Law Reports, but were far from being helpful to his client, even where they did not merely pile up the costs. His attitude appealed to commercial men who came to the Commercial Court expecting intelligent comprehension and practical solution of their problems. E. T. Raymond, that very capable judge of men,

hit the nail on the head some years ago in an estimate of Rufus Isaacs and his career. "Barristers," he said, "do not like figures and trade technicalities. But figures spoke to him like poetry to another man. He could carry the details of a balance-sheet in his mind after a mere glance. And in the Whittaker-Wright case, his supreme mastery of all its complexities astonished the business men who watched him."

It is rather unusual for a barrister who makes his name in the Commercial or Chancery Courts, to become a favoured figure in society, merely on account of his reputation. Indeed, it is doubtful whether the manners of some of our greatest technical lawyers of modern times would be tolerated in any West End drawing-room. One could name at least two outstanding figures, one living and one dead, men to whom the earning of thirty thousand a year was a mere incident, of whose manners little could be said in praise. They represent relentless, semi-elemental forces of intellect and character. Judges tremble before their knowledge and ruthless self-confidence. And there are other figures in the Chancery and Commercial Courts who, outside their profession, are the merest dullards. They have no social graces; they are not at all interested in cultural or worldly matters. In intelligent company they would cut no shape at all.

Rufus Isaacs was one of the first specialists in any branch of law, uninteresting from the human point of view, to make a great social success. It was achieved without effort, first upon report of the man, and then through his magnetic personality. Of course, no man can make huge fees, even in the

dullest practice, without the world pricking up its ears. In those salad days between the taking of silk and the acceptance of Government Office, case after case of importance, many not even to be found in the Reports, came his way and brought golden fruit with it. The sort of reward he would get was, for example, a three thousand guinea fee, and a retainer of two hundred guineas daily, in a case which lasted twenty days. Nearly ten thousand pounds for a single action is not a poor remuneration, and people wanted to know more about the man who could command such money.

They found, what was not at all expected, that the famous pleader and lawyer was a delightful person, simple, merry-hearted, always ready to joke, particularly about himself. Children loved him—and that is an important test. But even more than children, young men and women gave him their confidence. They knew that he would take their problems seriously, and treat them as persons entitled to full respect and consideration.

By this time Rufus Isaacs, always preserving the balance of sense and humour which kept him in touch with the life around him, had moved to a house in Park Lane. Not the pretentious rococo mansion of a millionaire, but a dainty Georgian house with fretted balconies and graceful pillars; a quiet little house overlooking Grosvenor Gate. Here, in a small room on the second floor, he did his work. He was in Parliament now, for he had won a seat at the by-election in Reading in 1904. He took not only his Parliamentary duties seriously, but also his duty to his constituency. How he managed it

will remain a puzzle and a marvel. His day began now, as it had begun fifteen years previously, in the small hours of the morning. It was said of him then, that "there was no margin of chance or risk in Rufus Isaacs' work." He awakened the somnolent Court into interest and concentration. He dealt with each case clearly, swiftly, and without apparent effort. And when the day's work was done, he went back to Chambers for consultations, and then, if Parliament was sitting, to Westminster. If Parliament was not sitting, he did not necessarily go home. There was his constituency to be considered, and on many a night, after dinner, or even without dinner, he would motor down to Reading to speak to his constituents, or attend some public function, and be back at midnight for the four hours of rest which were all his portion. It was the rare gift of Isaacs, like that of Roundell Palmer and Cairns, to be able, by long practice, to concentrate into a few hours of sleep the quality of a whole night's rest. It was deep, untroubled slumber, as refreshing as a draught of cool water to a parched throat. If he had not to be in the House or at Reading, there were social engagements which might keep him just as late. These were now part of his duty, even where, through illness, his beloved wife was not able to accompany him, just as ill-health so often prevented her attending in Court to watch her husband's triumphs. And then again, the common-sense and self-command of the man shone out in his determination never to open a law book during vacation time. Lawyers, like schoolmasters, though they may work hard when there is work to do, enjoy

the inestimable boon of long holidays, no fewer than sixteen weeks in the fifty-two, if they choose. And in those sixteen weeks, if Rufus Isaacs was not trying to play golf, or lounging by the sea, or romping with the small friends of whom he had such a number, he was reading anything that amused him or took his fancy, anything but law. He was never a man to make a fetish and bow his head before it.

Rufus Isaacs presents a rare puzzle to any biographical commentator. There are so many directly opposite things about him. Some call him a genius, versatile and many-sided; others maintain that he merely exhibits, in a very high degree, a quality of cleverness which is not really admired by Englishmen. Some say he was a fine lawyer; others that he was well enough as an advocate, that he had a brilliant grasp of business facts, but that he was never a first-class lawyer in the sense that Lord Birkenhead or Sir John Simon are great lawyers; that he never approached within miles of the mighty Danckwerts—who, to be sure, was a Chancery lawyer, engaged in a field which Isaacs seldom touched. As for his career as a judge, although, despite its continued interruption during the war, it brought him a number of sensational cases, most of his foremost supporters are inclined to think that it is not fair to rate it as high as that of other Lord Chief Justices. The only point upon which there is almost universal agreement is that the personal charm of the man, which consisted in a peculiarly attractive blending of good looks and good will, never found any obstacle which it could not surmount.

CHAPTER IV

Some Big Cases

IF the stream of complicated cases arising out of the Hansard Union, which gave young Rufus Isaacs his first chance, came as a stroke of unusual luck to him, he certainly took advantage of the opportunity. As his uncle, Alderman Sir Henry Isaacs, was concerned in that matter, it was only natural, and indeed perhaps expedient, that the nephew should have the handling of the awkward defence. The chain of complications which arose out of the initiation and collapse of the Hansard enterprises, provided in one case all the difficulties of a dozen. In all of them there were worrying, disturbing, ticklish problems of finance and balance-sheets, the sort of thing a young barrister may pardonably find difficult to handle. But it so happened that it was precisely that kind of difficulty which Rufus Isaacs understood, and was capable of tackling. It gave him, at the outset of his career, a very remarkable piece of experience, and it brought him not only a certain measure of commendation, but a great deal of self-confidence. It was all very well for people to say that of course young Isaacs, being in the family, would naturally have the Hansard defence assigned to him. That did not

alter the fact that the defence was a difficult one, and that he conducted it in an amazingly competent manner. Perhaps, after such an unusual success, the young lawyer was disappointed to find that others did not follow in its train. He had to go on with work in the County Council and the Police Court, not as much as many other young barristers have to endure, but still enough to irk him. He did have a share of the grind which his mentor, Lawson Walton, said he had been spared, though by the time he entered Lawson Walton's chambers it was obvious that he would be spared the long years of it which fall to the lot of other youngsters.

Let us now glance at a few of the big cases in which Rufus Isaacs was engaged. The Chetwynd-Durham suit, the famous Jockey Club arbitration, has already been mentioned, and his consummate handling of this case brought him a steady flow of big briefs. Clients sought him even in hopeless cases, because they were convinced that he could work miracles, if any man could. His first political essay had brought him to the notice of the party supporters, and he was briefed for the defence in the great libel action brought by Arthur Chamberlain against the *Star* in 1901. Sir Edward Clarke, K.C., then at the very height of his power, was his opponent. And although Rufus Isaacs lost the case, and his clients were mulcted in heavy damages, it was realized that he had made a wonderful fight.

Less than three years later the Government of the day found itself in a difficulty. It was urgent that the prosecution should be undertaken of one

of those phenomenal figures of financial romance, who arise from time to time in the City of London, and by sheer force of personality, without any special training, lead by the nose not only the great masses of the general public, but the most astute City brains. Such men do things on the grand scale. As often as not their intention is creative. They see visions; they build castles first in the air, and then strive to put them into the more tangible form of financial realization. With the first success comes the passion for further victories. They find that the streets are really paved with gold, and that if only effrontery and cunning are combined with persuasiveness in the right proportions, their schemes, instead of being dismissed as fantastic, take tangible form, and, built up out of the savings of others, swell into grandiose and impressive structures.

Whittaker Wright was a man of destiny. His name was like a talisman, which passed from mouth to mouth with the authority of a semi-religious devotion. It was believed of him that he could bring anything off. What he touched, so people said, must turn to gold. In truth, what he touched was gold first, and then turned to water, and so filtered away through his fingers. For years he had built scheme upon scheme, each of them like one house of cards supported on another. And now the crash had come, and the scandal was so great, and so widespread, that it was no longer a question of hushing it up. The man had to be brought to book, and the public looked to the Public Prosecutor to do the task.

It was one from which he might be excused for

shrinking. Whittaker Wright's brain was that of a great, bullying taskmaster of figures. Superb in his self-confidence, he had covered up his tracks once and again. It seemed hopeless to trace through the maze of accounts and ledgers, of amalgamations and manipulations, speculative promise and specious performance, any point at which it might be said that this man broke the law. What he did not already know about the law was supplied by his concealed and now all-too-modest coadjutors, the sharpest and most unscrupulous brains in the City of London. It was plain to the merest dullard that Whittaker Wright had swindled the public out of hundreds of thousands of pounds, but it was by no means plain, even to the cleverest lawyers of the Treasury, how to bring him to account under the law.

Then somebody thought of Rufus Isaacs. Now, as in the future, people turned to the man whose fighting spirit was merely stiffened by the prospect of grappling with difficulties which another man might dismiss as hopeless. To Rufus Isaacs, K.C., was allotted the task of prosecuting Whittaker Wright. People said that if anyone could do it he could. And if any man's reputation could afford to bear the brunt of failure, it was his.

The case lasted for days on end, and the protagonists presented such an amazing contrast that the doors of the Court were besieged with people eager to watch the duel. The man in the dock, huge, forbidding, with his great head set on powerful shoulders, his grim jowl protruded, his eyes glaring as he grumbled out his replies, each of which had

to be dragged out word by word from that punctilious brain ; and opposite him, straight as a lance, supple as steel, live as a dart, the smiling, boyish figure, suavely questioning, blandly surprised at the unconvincing answers, coolly taking up and dissecting and analysing the material which seemed to his hearers to present no flaw, no point of breakage. Even when the cross-examination was finished, there were many in Court who could not see how on earth even Rufus Isaacs was to secure a conviction out of it. But there were others, better trained in the intricacies of the law, who had watched carefully every clever step, every strand of the delicate web which had been spun round and round the angry victim. And they knew, before Rufus Isaacs began his speech, that he had convicted his man, though they could not tell how he was going to make the jury see that conviction was inevitable.

Rufus Isaacs spoke with complete ease. He had not a single note to help him. But he exhibited yet again that phenomenal mastery of figures which was his gift, and that other gift he had of making the most intricate complications of financial manœuvre seem as simple as the alphabet. Whittaker Wright, listening to him, grew ashen pale. He knew what had happened. He had met the one man in England who shared his own art and mystery, who could follow every twist and turn of his mind, who knew exactly what he had planned, how he had carried it out, and how he had attempted to disguise its consequences. The speech went on, calmly, evenly, persuasively, pleasantly—but there was death in every word of it.

[*Walton, Adams & Sons, Reading.*

LORD CHIEF JUSTICE.

The Judge summed up. He had little to do but repeat and emphasize the points learned counsel had made. The jury retired. They could only put their heads together and agree on the inevitable verdict. They brought it back, and Whittaker Wright, slipping a hand to his mouth, ere the warders could prevent him, fell dead on the floor of the dock, having cheated justice even at the last.

It would be a long task to enumerate the famous cases in which Rufus Isaacs now figured. The one of which he himself is most proud, is the defence of Sir Edward Russell, the illustrious editor of the *Liverpool Post* against the Liverpool Justices. There he had a hostile judge, and a jury of his political opponents. But he won them both round, and triumphantly vindicated the right of free speech. The mighty argument of Allen *v.* Flood before the House of Lords, the Hartopp and Ellisen-Pape divorce case, the defence of Dr. Krause, the Houston case, all these at various times had impressed him on the public imagination.

In the case of the famous Lake George Gold Mines, an action in fraud claiming damages for misfeasance, Rufus Isaacs greatly distinguished himself. Sir Edward Clark and Reginald Bray were the two leaders for the plaintiff, with Philip Morle and Harold Simmons as their extremely able juniors. Isaacs was leading the defence, Gill and Douglas Hogg with him. The case was a very heavy and intricate one, demanding attention to the least detail and a complete grip of figures extending over many years. Isaacs had a thousand guineas marked on his brief. But the money was well spent, for

he fought every inch of the way, and the defendants won a handsome victory.

An outstanding quality of Rufus Isaacs, apart from his personal magnetism, was the way in which he could disregard side issues, lawyer though he was, and seize upon the hidden points of controversy. He had shown this in his famous defence of Robert Sievier against J. B. Joel. Long before the case was at a stage when the result could be safely predicted, Rufus Isaacs had seen that there was only one thing that mattered; had Sievier threatened Joel in order to get money, or was it Joel who had offered Sievier money not to attack him? In the first case, it would be a criminal matter, and a very serious one. In the second case, there was no criminal responsibility at all. That was all that signified, and upon that point Rufus Isaacs fastened in his cross-examination. The Judge, in summing up, emphasized it, and the jury vindicated it. Few men but Isaacs could have seen from the very beginning how simply the case was to be won.

And if here was one outstanding quality which contributed to his success, there was still another, his faculty for making even his failures bear witness to his own outstanding qualities. In the great case of Wyler *v.* Lewis, Rufus Isaacs made, yet again without notes, the longest speech counsel had ever delivered in the Court of Appeal. He spoke for nine days, and enthralled everyone who heard him. In the Court below the trial had lasted over fifty-three days and the plaintiffs were awarded £65,472 damages. Isaacs did not win his appeal, and the

total costs worked out at £40,000. But he had almost achieved the impossible.

Rufus Isaacs was now, after twenty years at the Bar, its undoubted leader. He was a social figure of rare interest and piquancy. Mayfair, with all its prejudice and suspicions, took to him, and found that he was neither easily patronized nor obnoxious by reason of his lionization. His party was proud of him, and the Press, apart from other reasons, was bound to take very seriously the man who had succeeded in defending the *Daily News* in an important libel action, and securing, against the furious assault of the redoubtable Mr. Gill, K.C., the verdict of one farthing damages. It was now plain that nothing could stop his path to promotion, and when in 1910 he succeeded Sir Samuel Evans as Solicitor-General, the step was inevitable. His advice was continually sought at a critical time of trouble with the rapidly developing and insurgent Trade Unions, and, when six months after his appointment as Solicitor-General, he became Attorney-General, the unprecedented step was taken of inviting him to join the Cabinet, a thing which had not happened for a hundred years.

Up to this time he was in the habit of getting just whatever fees he cared to ask. His head clerk was rather an autocrat, and when one day the junior clerk brought in a brief marked 200 guineas, the head clerk said: "Drop it out of the window." But a few years later, when Sir Rufus Isaacs had just become His Majesty's Solicitor-General, a big brief came in, marked "10 and 2." The senior clerk looked at it, lifted it up

gingerly with the tips of his fingers, and declined it with thanks, remarking that Sir Rufus did not take 10-guinea briefs. The messenger smiled, and put the brief on the table again. "He'll take that one," he said. "And what's more, he'll take dozens of others like it before he is finished." And it was perfectly true, for it was a brief from the Crown, and the days were gone by when His Majesty's Solicitor-General could ask what he liked from the Government for the fee in a Crown case. In the old days, when the Law Officers of the Crown were permitted to take private practice, Mr. Attorney's salary was £6,000 or £7,000 a year, and the Government was treated, from the point of view of fees, in just the same way as a private client. Sir Edward Clarke, as Solicitor-General, saw the last of those days. Then there came a change. The Attorney-General got a fixed salary of £12,000 a year, but he was bound in future to take any fee from the Government that the Treasury Solicitors' Department liked to name, and, as the messenger had predicted, Sir Rufus Isaacs, K.C.V.O., K.C., M.P., Attorney-General to His Majesty, had to work very hard at many a case for 10 and 20 guineas a time. It is typical of the man that he put into these cases some of the finest work he ever did.

One of his first tasks as Attorney-General was to undertake on behalf of the Crown the prosecution of the Seddons for the murder of Miss Barrow. The common memory is short, and the famous fly-paper arsenic poisoning case is now forgotten by most of us who do not keep a record of these things. But it was an affair which held the imagination of the

public. Mrs. Seddon was acquitted. She was only a tool in the hands of her cunning, cruel rogue of a husband, who combined a long-planned and relentless campaign of murder with such protestations of high-mindedness, that he came in time almost to believe in himself.

F. H. Seddon, the insurance inspector of North London, was no fool. He laid his plans very carefully, and it is extremely likely that if he had not, with the conceit so characteristic of his kind, insisted on going into the witness-box to speak in his own defence, he might never have been convicted. The big guns arrayed against him were formidable enough; for the Crown Sir Rufus Isaacs, K.C., M.P., with Richard Muir, A. T. Rowlatt and Travers Humphreys to help him, might well have caused apprehension in the mind of the most self-confident prisoner. On the other hand, Seddon had Marshall Hall, K.C., M.P., to lead the defence, with Dr. R. Dunstan, brilliant alike in law and medicine, to advise on technical matters, and another good junior in Wellesley Orr.

Attack and defence were not so badly matched, for after all it was for the prosecution to prove its case. Marshall Hall did not want Seddon to go into the witness-box. There were two reasons. Firstly, he knew Seddon; secondly, he knew Isaacs. But Seddon was determined on showing his prowess, and he stood up with all the boldness in the world before the keen-eyed advocate with the gentle, silky voice. Seddon thought he had mixed up business and friendship so inextricably, that the strands could never be untied. Rufus Isaacs gave

a little tug here and there, and the knots parted. He drew Seddon suavely, politely on, so that the man could not see the morass into which he was being led. Seddon maintained that Miss Barrow wanted him to look after everything. She had taken him into her confidence from the beginning. A few minutes later he found himself denying that he was in her complete confidence. She never told him anything about herself or her affairs. That was the beginning. More contradictions followed, and Seddon tried to cover them up by saying that he was not the man to think ill of people, or to anticipate the talk of interested meddlers. For two days he stood up to a fire that never ceased, and at the end of those two days he was a doomed man.

As a Law Officer of the Crown, the career of Sir Rufus Isaacs, K.C., M.P., underwent a change. His junior, the Solicitor-General, Sir John Simon, K.C., M.P., was undoubtedly a more profound lawyer. Perhaps it was because the pressure of Cabinet work was so great that the Attorney-General now figured less brilliantly in Court, especially in cases in which it was expected that he might achieve the greatest triumphs. He was still masterly at *nisi prius* ; but in technical cases before a judge, he no longer played his old part. He had an immense amount of other work to do. His energies were being diverted to vitally important civil and criminal causes on behalf of the Crown ; he was constantly in deep consultation with his fellow Cabinet Ministers, and it was hardly to be wondered at that he left more and more of the technical work to his assistant, Mr. Solicitor. His income in salary

and fees was large enough to enable him to devote a great deal more time to politics, and at least one great Budget speech in 1909 had marked him out, if he chose to divert his energies, as a possible Chancellor of the Exchequer in succession to Mr. Lloyd George.

It was inevitable that politics should have engaged the attention of the young leader. There is no country in the world, save Great Britain, where the practice of law brings boundless external rewards along with it. In no other country, to begin with, is it an automatic process that the great advocate should become a judge. Theoretically, there is almost everything to be said against the practice. A man who has spent his life in the ingenious manipulation of facts for the benefit of one side or the other, can hardly be expected to have developed the judicial frame of mind in the process. Any Frenchman, any German or Italian will point this out with great wealth of argument and detailed instance. But in England, a country which has always left logic to its most unpractical minds, the unexpected happens by sheer force of precedent. Many a brilliant advocate has made a pretty bad judge of the English, Scottish and Irish High Courts. But the amazing thing is that so many advocates who have achieved their greatness by all the arts of partiality, by feigned enthusiasms, by simulated passion in attack or defence, who have seized upon points of law and twisted them to the detriment of commonsense, who have not always scrupled about the suppression of the true or the suggestion of the false, should nevertheless have blossomed into honest,

capable and successful judges. On the Continent, your judge is a civil servant, trained in law and procedure, familiar with intricate codes and endless regulations. In this country, where the code hardly exists, save where it has been forced upon the lawyers against their natural instincts, judges are made through familiarity with the flexible, malleable body of the Common Law. The arts they bring to bear upon it as advocates, leave no impress upon that resilient stuff. And when they become judges, not only do they find the Common Law intact, but they are by their own experience so schooled in all the tricks of advocacy, that they are not to be deluded by them into diminishing by any fault of their own its hardy substance.

Now a curious feature of the English judiciary is that while the first step consists in carving a way to success at the Bar, the next short cut is through politics. The successful barrister, if he wishes the reward of the ermine to come as quickly as possible, seeks a seat in Parliament. But from the moment that politics have placed him in the seat of justice, the newly made judge ceases to have anything to do with politics. This marvel happens year by year, and has happened for generations.

He first contested a seat in Parliament at the General Election of 1900, tackling with characteristic gallantry, at a time when his Party was in the deepest mire of unpopularity, the Division of North Kensington, a notorious stronghold of Conservatism. Of course, he failed. And of course he made the failure such a good-tempered adventure, that the Liberal headquarters, always on the look-out for

bright young men who could take a hard knock and smile, marked down the new-comer for better things next time. This first enterprise over and done with, he returned to the law, and found himself now briefed in cases which were not only remunerative, but carried publicity with them, and a reputation which reached into wider circles than he had yet known.

Rufus Isaacs won a seat in Parliament at Reading in 1904, and held it without cessation until he was appointed Lord Chief Justice in the autumn of 1913. From the beginning, he was popular in his constituency. He was a sportsman. He had always boxed well. He played a shocking game of golf, a fair game of tennis. He liked cycling, rowing and riding. Most important of all, he took an interest in the town football team. He was pleasant, humorous and lively on the platform. He was rich and good-natured. He brought with him no haughty aloofness of manner from his success in the Courts. And by the time his second election came round, in the great Liberal sweep of 1906, he was thoroughly well established in Reading, and was already a popular figure in the House.

Not that he was the success in debate in the House that he was either in Court or on the platform. Rufus Isaacs was no exception to the frequent rule that the brilliant advocate often, by the very excellence of his forensic qualities, fails to make a mark in the Commons. He knew that platform oratory, in which he excelled, was quite a different thing from the advocacy in Court, that it dealt with generalities, that it was emotional

and not necessarily accurate. And so, his platform manner was suited to the atmosphere. But he could never capture the atmosphere of the House of Commons, except in matters which he was approaching as a lawyer.

Nevertheless, he was much liked by his fellow members of Parliament of all parties. They could not resist his sunny, boyish temperament. And amongst the leaders of his party, it was soon recognized that although he was not a man to state their case from the green benches, he was invaluable in advising and preparing others for that service.

It was at this time that he began and consolidated his friendship with Mr. Lloyd George, which soon became the subject, first of public interest, and then of the comment and controversy which culminated in the Marconi incident. Lloyd George, now for the first time a Cabinet Minister, and preparing his great land campaign, was eagerly on the look-out for the right lieutenants, and as always, he found no difficulty in picking his men. Masterman was one, Isaacs was another, Edwin Montagu was a third. And of all the three, it was perhaps Rufus Isaacs, despite his other preoccupations, whose exotic brilliance and charm most impressed itself upon the Celtic imagination of the future Prime Minister.

On only one occasion can it be said that any incident on the platform disturbed him, and that was a personal matter. It arose at a crowded and enthusiastic meeting, at which, out of the blue, there came the voice of a single insistent heckler, who kept on calling out, in a monotonous high-pitched

chant, the words: "Down with the Jews." For a time, the Member for Reading ignored the interrupter. People round began to murmur, and suggested drastic action. But the speaker went on calmly. Then suddenly Rufus Isaacs stopped in his speech, took up the parrot phrase, and turned from his subject to one of the finest, one of the few really impassioned utterances he ever delivered. He spoke of his religion and his race, of his ancestry, of its sufferings and its triumphant survival throughout ages of persecution and tribulation. He spoke of England, of English ideals of justice and fair play, of Englishmen who had fought for religious and civil freedom, regardless of caste or creed or race. And he sat down amid the thunderous applause of the audience. Later, on occasions he was to arouse again the bitterness, the anger, the blind jealousies of anti-semitism. But he was to find, at the same time, that the England which had granted him his pathway to success, because of the man he was, cared for none of these things. There was no need for him to defend his race or religion. His friends and his fellow-countrymen answered for both.

CHAPTER V

In Parliament

ALTHOUGH Rufus Isaacs was successful in entering Parliament in 1904, it was not until two years later that his talents found opportunity for full expression. From the by-election until the General Election of 1906, the Liberal Party were in opposition, and although this fact allowed Rufus Isaacs a chance of making occasional speeches in the House, in which he fully maintained his reputation for brilliant oratory, it afforded him very little scope for achieving a political career.

The political situation at this time was roughly as follows. The Unionist Party, after a long period in which it had held the reins of power, had to a very large extent lost the sympathy of the country. The reasons for this are difficult to enumerate. The natural swing of the pendulum was no doubt largely responsible. The cost of living, which had risen appreciably during, and after, the South African War, showed no signs of declining, and, as usual, the responsibility for this fact was attributed to the existing Government. And to some extent the Unionist Party had brought unpopularity upon themselves by their own actions. Their adoption of Tariff Reform as an official policy had alienated

very many of their supporters, whose interest or convictions led them to uphold the principles of Free Trade. Apart from this, the Government had made many tactical mistakes, of which their opponents were by now in a position to reap the full advantage.

The Liberal Party, on the other hand, had recovered from a period of disunion and inanition. With the exception of Lord Rosebery, who adhered to his own views with undeviating earnestness, all those who were regarded as the exponents of Liberalism were once again united, at least on the surface. The Party were pledged to social reform and to a vague policy of doing something towards the settlement of the perennial Irish question. This was the basis of their constructive policy. For the rest, they proclaimed loudly their intention, when they came into power, of rectifying the abuses of the Unionist administration.

The Government resigned in December, 1905, and the King sent for Sir Henry Campbell-Bannerman, who had attained the position of recognized leader of the Liberal Party. This at once gave the key to the coming struggle. Although Mr. Asquith was the principal spokesman of the Liberal antagonism to the Protectionist policy of the Unionists, Sir Henry had expressed himself very strongly on the subject, even more strongly than the rest of the Liberal leaders. Shortly before the resignation of the Government, he had declared that he desired to see the effective management of Irish affairs in the hands of a representative Irish assembly. If an instalment of representative control was offered

to Ireland, or any administrative improvement, he would advise the Nationalists to accept it, provided that it was consistent and led up to their larger policy of Home Rule.

This declaration, although it destroyed his last chance of securing Lord Rosebery's support, was an effective move towards gaining for Sir Henry the votes of the Nationalist Party. He was now certain that, even in case of virtual equality between the two great parties at the coming election, he could command sufficient support in the House to carry on the duties of Government. From that moment the Liberal platform, based upon Free Trade and social reform, was compelled to carry an additional plank representing, if not Home Rule in so many words, at least the preliminaries to it.

Rufus Isaac's attitude towards his party was characterized by his accustomed loyalty. But he was never a self-seeking politician, devoid of serious convictions and prepared to trim the sails of his opinions to suit the prevailing political wind. He had achieved a notable success in the by-election of 1904 by his clear exposition of his principles, and his election address of January, 1906, shows the same frankness, and an avoidance of the ambiguity noticeable in those of many of the more prominent Liberals.

In this address, issued to the electors of Reading, he declared that in foreign affairs he would abstain from any aggressive or adventurous policy. He believed that any measure of Protection, such as was advocated by the Unionists, would have the effect of making the rich richer and the poor poorer,

that it would, in fact, have the effect of casting an increased burden upon those least able to bear it. He considered that essential retrenchments and economy should be practised in the great spending departments, but that this should not be performed at the expense of efficiency. The Army in particular should be brought to a thorough state of efficiency, and the Volunteer Forces especially should be fostered. The Irish should be given gradual control of such of their domestic affairs as concerned them alone. He rejoiced at the action of the Government in preventing further importation of Chinese labour into the Transvaal, till the people of that part of the Empire should have an opportunity of pronouncing judgment on that policy. He was in favour of amending the existing Acts relative to education, licensing, and trade union, and he would heartily support any sound schemes for providing work for the unemployed. He was in favour of reforms in the matters of housing, the conduct of elections, and the registration of voters, and also of the taxation of land values.

This remarkably clear exposition of policy stands in need of very little explanatory comment, unless it be on the subject of Chinese labour in the Transvaal. This referred to the introduction of Chinese coolies into South Africa in 1904. In some quarters this measure had been severely criticized, on the grounds that the conditions under which these coolies were employed were unsatisfactory. The Liberal Party, quick to make capital out of this criticism, had accused the Unionists of being parties to a system of slavery, and " Chinese slavery " had

become a very effective election cry. It was subsequently admitted by Mr. Winston Churchill that the application of the word " slavery " to the conditions of Chinese labour in the Transvaal was a " terminological inexactitude," and it is a striking tribute to Rufus Isaacs' innate honesty and fairness that in his election address he should have treated the matter of which most of his colleagues were making a great point, with such commendable restraint.

The election of 1906 resulted in an overwhelming victory for the Liberals. They secured 379 seats, while the Unionists received 157, the Nationalists 83, and Labour 51. The way was clear for putting into practice the Liberal theories so loudly propounded in the past. But, under the moderating leadership of Sir Henry Campbell-Bannerman, very little legislation was at first accomplished. During the first two years of the Liberal administration many of the measures which passed the House of Commons subsequently proved abortive owing to the opposition of the House of Lords. The Irish Councils Bill, the first step in the direction of the modified Home Rule to which the majority of the Liberals, with either greater or less fervour than Rufus Isaacs, had given their support, ended in a fiasco. Education, another minor plank in the Liberal platform, met with much the same fate, Mr. Birrell's Bill being allowed to drop on account of the opposition of the Upper Chamber. Besides these, a number of other measures, embodying Liberal policy, failed to reach the Statute Book, despite Sir Henry's commanding majority in the House of Commons.

But it is a very striking fact that Rufus Isaacs' views, as set forth in his election address, were to a very great extent justified by their adoption by the country. He had mentioned many subjects upon which Liberal opinion was by no means unanimous. His reputation at the time was founded upon his achievements as an advocate, and politically he was practically an unknown force. His utterances in the House of Commons attracted very little attention; he was never the type of politician who seeks to make a career for himself by the frequent repetition of his name in the pages of Hansard. Yet, beneath the surface, the value of his opinion and of his judgment was fully known and appreciated. The leaders of his party, Sir Henry Campbell-Bannerman, and subsequently Mr. Asquith, knew how to avail themselves of the wisdom and perception of the most brilliant advocate of his generation, and the forecast of Rufus Isaacs' election address was justified in many of the measures which became law during this period of the Liberal administration. Mr. Haldane's Territorial scheme realized the desire which he had expressed for the fostering of the Volunteer forces. This is only one example out of many which could be cited of the legislation of these years following out the policy foreshadowed by Rufus Isaacs.

In the legal sphere particularly reforms were introduced which he had advocated. The establishment of a Court of Criminal Appeal was a measure particularly welcomed by him. In subsequent years he lent the whole weight of his authority as Lord Chief Justice to the perfecting of this Court. To his

efforts are due the succession of rulings which established the principle that the Court should act as a true court of revision, and not merely as a mere confirming authority. In his view the Court should be competent to upset verdicts and reduce sentences, even of Judges of the High Court, and that its powers should be fearlessly exercised when occasion warranted. Other examples of legislation in the legal sphere to which Rufus Isaacs extended his unqualified approval were the Acts for establishing a public trustee and a system of probation for juvenile offenders.

It was not until Mr. Asquith succeeded to the premiership, and appointed Mr. Lloyd George Chancellor of the Exchequer, that the real struggle between the Liberals and the Unionists began. Although much of the legislation of the last two years had been approved, and even welcomed, by Unionist organs of opinion, considerable bitterness had arisen over the action of the House of Lords in rejecting or amending so many of the Liberal measures. Many Liberals, among them Rufus Isaacs, felt that so long as the House of Lords retained its existing powers and constitution, so long would it continue to be a Unionist stronghold, and an impassable barrier to the carrying out of the Liberal programme. This feeling gradually produced a determination among the Liberals to concentrate their attack upon the land-holding classes, as being the class from which the House of Lords was mainly recruited. The House of Lords, as a body, was too remote an object for popular assault. But if, instead of the House of Lords, the figure of the grasping and rapacious landlord were

held up to popular obloquy, there was a greater likelihood of securing the support of the electors.

In Mr. Lloyd George the Liberal Party found an ideal protagonist for this policy. In his famous 1909 Budget he introduced such revolutionary proposals as caused consternation in the City and among the propertied classes. He himself described it as a "War Budget against poverty." Estate, legacy, and succession duties were all enormously increased, and a highly elaborate system of taxation of land values was introduced. These measures, which might have been introduced in the course of ordinary legislation, were purposely incorporated in the form of a budget. The Lords had shown that they had no scruple in amending out of existence Bills embodying Liberal ideals, when these were presented to them. But it was a doctrine of the Constitution that the Lords could not amend a money bill, although they might reject it. No Budget, however, had ever yet been so rejected by the Upper Chamber, and it was a fair assumption that the attack delivered by the Budget of 1909 would reach its objective.

Feelings on both sides were exacerbated by the public utterances of many of the Liberal leaders, noticeably Mr. Lloyd George, who employed their powers of oratory in inflaming the passions of the electors against the landlords and their representatives in the Upper House. But in this campaign of words Rufus Isaacs took no prominent part. He was wise enough to perceive that vituperative abuse of its opponents was not the surest way to secure the success of any policy, at all events in a

country where English political traditions held sway. Such speeches as he made during this period were devoted rather to the education of his supporters in the true meaning of the reforms proposed by his party. His knowledge of the City convinced him that, conservative as was its spirit towards any suggested innovation, it was quick enough to adopt and to support any measure of proved efficacy. The surest way to alienate the support of the great moderate majority was to indulge in the vulgar invective so greatly favoured at this time by many of his colleagues.

The discussions upon the Budget in the House of Commons lasted from April to November, 1909. Some of the original proposals were allowed to drop, but the principal features still remained when the Budget was finally presented to the House of Lords. On the last day of November Lord Lansdowne's motion " that this House is not justified in giving its consent to this Bill until it has been submitted to the judgment of the country " was carried by an overwhelming majority of the Upper House, and in these words the Budget was rejected. The Government passed a solemn resolution of protest in the House of Commons, and declared that they threw themselves upon the mercy of the country. From that moment issue was definitely joined between the Lords and Commons, and the struggle of the next few years was generally seen to be between the principles which underlay their respective attitudes.

The dominating political issue had thus become the future of the House of Lords. In effect, the

question was to what extent an hereditary Second Chamber should be able to control legislation initiated in the House of Commons. Mr. Lloyd George's Budget was frankly revolutionary, in English eyes at least, although many of its provisions were already in operation upon the Continent. Looking back upon it, with the experience of post-war legislation, it must be admitted that most, if not all, of its provisions would by now have been introduced, one after another, by successive Chancellors of the Exchequer. But in 1909, the sensation caused by such a mass of novel proposals shook the political conscience of the nation to its core.

The Budget was a direct challenge to the Conservative Party and to the House of Lords. The Liberals, whose hold upon the imagination of the country had been growing gradually weaker since their triumph of 1906, saw in it a bold bid for popularity among the working classes. But beyond this, they realized that it was a gauntlet flung down before their old enemies, the House of Lords. They believed, or affected to believe, that the House of Lords, as then constituted, must always be a stronghold of their opponents, and that therefore no Liberal measure would ever have a chance of becoming law. As long ago as 1894 an amendment to the Address, condemning the hereditary principle, had been moved by Mr. Labouchere, and carried by two votes in the House of Commons. The condemnation of the hereditary principle was then a preliminary to the substitution for the House of Lords of an elective Second Chamber, which should take the colour of its policy from the Government of the day. No

further action was taken at the time, though both Mr. Gladstone and Lord Rosebery called upon their supporters to make the reform of the House of Lords one of the main planks in the Liberal platform.

It was not until May, 1907, that the Liberals, secure in their great majority, felt themselves strong enough to return to the charge. In that month Sir Henry Campbell-Bannerman secured a large majority in the Commons for a resolution aimed directly at the power of the Lords. The Liberal leaders asserted that a Bill was to be founded upon this resolution, which, in fact, contained the germ of the Parliament Bill of 1910, since it contained a suggestion for machinery by which the veto of the Lords could be set aside when any Bill had been passed by the Commons on three separate occasions. Nothing definite came of this, however, and in the following year, a committee of the Lords, of which Lord Rosebery was chairman, presented a report on the reform of the Upper House. The Committee had been appointed as the result of the introduction by Lord Newton of a Bill for the amendment of the constitution of the Lords. The Report contained no reference to any curtailment of veto, but made a few tentative suggestions towards restricting the number of hereditary seats, and filling the vacancies so formed by selection.

The rejection of the Budget of 1909 by the House of Lords brought the matter to a head. The Liberals, aware that their victory in the event of a straight fight with the Conservatives would be extremely doubtful, were desperately anxious to secure the alliance of the two other considerable

parties in Parliament, Labour and the Irish Nationalists. With both these parties any attack upon the House of Lords was bound to be popular. Labour affected to regard the Upper House as the greatest barrier to democratic legislation. The language used by the leaders of labour—and most regrettably borrowed from them by politicians of the school of Mr. Lloyd George—was designed to lead the ignorant to suppose that the Upper House was entirely composed of grasping landlords tenacious of the feudal idea and opposed to any measure of freedom for the people. The Irish Nationalists, with that passion for the shadow rather than the substance, which characterizes the Irish race, had only one aim in view, the securing of Home Rule, a vague aspiration which had never been accurately defined or agreed upon, even in Ireland itself. The Liberal Party had long since accepted the ill-digested policy of Home Rule, chiefly in order to secure the alliance of the Nationalists. The House of Lords, not only because it contained a Conservative majority, opposed it. The Nationalists, therefore, as well as Labour, were prepared to lend their support to the Liberals as long as their programme included an attack upon the Upper House.

The Budget itself thus became a secondary issue in the election of January, 1910. The issue before the country was not so much the passing of the Budget itself, but the principle by which its rejection by the Lords had been due. It had become a maxim of the unwritten Constitution that the Lords possessed the right of rejecting a financial measure, but not of amending it. The Liberals, however, con-

tended that this right had fallen into desuetude, and that the Lords had exceeded their prerogative in forcing a dissolution. Having done so, they had exhibited the necessity for a curtailment of their privileges, and the Liberals based their appeal to the electors upon the iniquity of a Second Chamber in rejecting a measure for the benefit of the people duly enacted by the representatives of that people.

This, in brief, was the position when Rufus Isaacs offered himself for re-election to his constituents in Reading. His opponent was Major Renton, who had represented Gainsborough in the Liberal-Unionist interest since 1906. The Conservatives, faced with the necessity of suggesting means of raising money, alternative to those proposed by Mr. Lloyd George's Budget, for carrying out social reforms, had fallen back upon Tariff Reform. This policy, which had been responsible for the Conservative collapse in 1906, had in the interval been accepted by the party now united under the leadership of Mr. Balfour. The Conservative tactics before and during the election were to advocate the advantages of Tariff Reform over the revolutionary proposals of Mr. Lloyd George and at the same time to point out that the Liberal dependence upon the Labour and Irish vote would result in further concessions to Labour and the re-introduction of the Home Rule Bill.

On January 1st, 1910, Mr. Lloyd George himself, the most conspicuous protagonist in the political drama, addressed a crowded meeting, called at Reading to support Rufus Isaacs' candidature. Mr. Lloyd George was then at the height of his fame as

a popular demagogue, and he doubtless felt that what was expected of him was a fighting speech. He was not the man to disappoint his audience. He devoted himself to a bitter tirade against the Upper House, and the land-owning classes generally. The reason that the people were called upon to fight the present election, instead of quietly enjoying their Christmas holiday, was that the rich landlords refused to bear their fair share of taxation. In his Budget he had endeavoured to secure the welfare and freedom of the working classes, but his efforts had been stultified by the selfishness of the rich men who had refused to surrender even a small part of their ill-gotten gains for the benefit of the community. This being so, there was only one way to deal with them, which was to render them for ever incapable of interfering with the march of democratic progress.

Having thus held up the Upper Chamber to popular execration, Mr. Lloyd George proceeded to a consideration of the millennium which was to be achieved by his Budget. The nation was to become prosperous by a more equal distribution of wealth, which was to be diverted from the pockets of the idle rich into those of the working man. The money that the Conservatives wished to spend upon armaments could more usefully be diverted to purposes of social welfare. The Conservatives had, in their own interests, raised a scare of a possible war with Germany. The able orator cast ridicule upon the idea, and taunted his opponents with their fears of such an event. It is scarcely necessary to say that his remarks were received with acclamation.

Popular though such an expression of policy undoubtedly was with the meeting, Rufus Isaacs was careful not to associate himself with it. It was typical of him, that, although a convinced and loyal Liberal, his conscience did not allow him to exploit Liberal principles to secure a momentary popularity. He believed that the true function of Liberalism was to adhere steadily to its traditional policy, without endeavouring to placate allied parties by pandering to their nostrums. Mr. Lloyd George's speech had been frankly addressed to the Labour elements among his audience. Rufus Isaacs preferred to appeal to the members of his own party. His speech, temperate and well-reasoned, perhaps for that reason appearing undistinguished in popular eyes, disdained the invective of his predecessor upon the platform. He confined himself to a refutation of the arguments of the Tariff Reformers, with particular reference to the leading local industry, showing that the biscuit trade, which depended for its prosperity upon free imports of wheat and flour, would be ruined by the imposition of a tariff upon these articles.

This temperateness of attitude and directness of speech were typical of Rufus Isaacs at this time. As a convinced Liberal he was, as his subsequent speeches in Parliament proved, a firm believer in the official Liberal policy, especially as regards the abolition of the Lords' veto. But, with his innate wisdom and knowledge of affairs, he realized that no cause, however just, gained strength in the long run by exaggeration designed to give it a popular appeal. No doubt, even before the election of

January, 1910, he shared with many Liberals certain lively misgivings as to the ultimate effect of the bids made by his party for the support of Labour and the Nationalists. There was, in the fever of the campaign, grave danger of the overwhelming of Liberal policy beneath a flood of Socialistic oratory, which might easily result in Liberalism becoming identified with Labour in the eyes of the electorate. It was no doubt this consideration which weighed with Rufus Isaacs throughout his election speeches. Speaking again at Reading, five days later, he again practically confined himself to the question of Tariff Reform versus Free Trade, taking his stand upon a purely Liberal basis. In his view, as then expressed, the way of Tariff Reform through fair trade could never help the people of this country. The Conservatives had said that it was impossible for England to stand alone before the Tariff walls created against her, content to be the dumping ground of her foreign competitors. But in their arguments they lost sight of the fact that England was not a self-supporting country, but depended for her prosperity upon the free import of food. It was extremely unlikely that the revenue which would be derived from the imposition of tariffs would compensate for the loss due to the increased price of food. Thus Rufus Isaacs, with reasoned and persuasive eloquence, fought his battle of the election, using none but purely Liberal weapons.

His wise policy was justified, and he was duly elected. It is more than possible that, had he been tempted to follow the example of Mr. Lloyd George and others of his party, and had indulged in the

clamorous invective against the upper and middle classes which they favoured, his candidature would have been unsuccessful. Reading, besides being a manufacturing town, is the centre of a wide agricultural district, in which any policy approaching Communism is naturally unpopular. Many of those who voted for him because of their agreement with his theories upon Free Trade, might, had he devoted his campaign entirely to the abuse of landlords, have abstained from voting, or even used their suffrages in favour of Major Renton. But, apart altogether from the question of his own seat, Rufus Isaacs had justified the Liberal cause in the midst of the excitement engendered by this complicated election, and in so doing he performed a valuable service to his party.

It was no doubt the realization of this fact which recommended him to Mr. Asquith as a sound and reliable politician as well as a brilliant barrister. Of the latter there was no question. Since his taking silk in 1895, he had figured in all the leading cases of the day, and had established an unassailable reputation as the leading advocate of his time. Shortly after the election the Solicitor-General, Sir Samuel Evans, who had held the post since 1908, was raised to the Bench, and became President of the Probate, Divorce and Admiralty Division. There was, from the first, very little doubt as to his successor. The name of Rufus Isaacs was in everybody's mouth, and no other candidate was so much as suggested. On March 7th the official announcement was made, and eleven days later it was followed by a further announcement to the effect that the

King had been pleased to confer the honour of Knighthood upon Rufus Isaacs, K.C., M.P., Solicitor-General.

In order to realize the problems with which, as a Law Officer of the Crown, Sir Rufus was confronted, it will be necessary to examine the results of the election of January, 1910. As soon as the results began to come in, it was seen, by all who had the honesty to admit it, that it was indecisive, at least in so far as the issue between the Liberals and the Conservatives was concerned. These two parties were returned in almost equal numbers, showing that the electorate was by no means unanimous as to the advisability of proceeding with the drastic measures of the reform of the House of Lords which the Liberals had advocated. The latter party, however, had secured the support of the Nationalists and of Labour, and Mr. Asquith was therefore enabled to command a working majority in the House of Commons for the proposals upon which he had appealed to the country. Mr. Asquith lost no time. He drew up a series of resolutions defining these proposals, and also prepared the draft of what became known as the Parliament Bill, 1910.

As these measures dominated the political situation for the ensuing two years, it will be necessary to make some brief reference to their purport. The Resolutions were drawn up under three heads. (1) "That it is expedient that the House of Lords be disabled by law from rejecting or amending a money bill, but that any such limitation by law shall not be taken to diminish or qualify the existing rights and privileges of the House of Commons." A

definition of the term "money bill" follows, by which it is laid down that a money bill is one which, in the opinion of the Speaker, deals only with one or all of the following subjects: Taxation, Consolidated Fund or provision of money by Parliament, supply, public money, or loans. (2) "That it is expedient that the powers of the House of Lords, as respects Bills other than money bills, be restricted by law, so that any such Bill which has passed the House of Commons in three successive sessions and, having been sent up to the House of Lords at least one month before the end of the session, has been rejected by that House in each of those sessions, shall become law without the consent of the House of Lords, on the royal assent being declared: provided that at least two years shall have elapsed between the date of the first introduction of the Bill in the House of Commons and the date on which it passes the House of Commons for the third time." A note follows to the effect that a Bill is to be deemed to have been rejected by the House of Lords if amended by that House, unless such amendment is agreed upon by both Houses. (3) "That it is expedient to limit the duration of Parliament to five years."

Such were the Resolutions prepared by Mr. Asquith, the direct and inevitable result of his election pledges. The first clause, relating to money bills, was obviously designed to ensure the passage of the Budget, the original cause of the political crisis. The Budget, as is common knowledge, became law, but not through the operation of this clause. Indeed, in December, 1911, the Speaker

somewhat took the wind out of the sails of what had by then become the Parliament Act by ruling that the Budget of that year was not a money bill within the meaning of the Act. The second clause, which dealt with bills other than money bills, was the price paid for Nationalist support. The Government intended, as soon as convenient, to introduce a Home Rule Bill, and they knew well enough that it would never get past the Lords, if the Upper House were to be left in possession of its present powers. It was necessary, if the pledge to the Nationalists was to be fulfilled, that means should be found for the passing of the Bill, whether the Lords approved or not.

The Parliament Bill was framed in the spirit of these Resolutions. Its preamble contains the concession to Labour, demanded in return for the support of that party. "Whereas it is expedient that provision should be made for regulating the relations between the two Houses of Parliament: And whereas it is intended to substitute for the House of Lords as it at present exists a second chamber constituted on a popular instead of hereditary basis, but such substitution cannot be immediately brought into operation: And whereas provision will require hereafter to be made by Parliament in a measure effecting such substitution for limiting and defining the powers of the new second chamber, but it is expedient to make such provision as in this Act appears for restricting the existing powers of the House of Lords." An ambitious yet carefully worded preamble, steering a middle course between the stubborn adherence to the existing system pro-

fessed by the Conservatives and the complete abolition demanded by Labour.

The Clauses of the Bill which follows provide: Firstly, that a money bill, certified as such by the Speaker, if not passed by the House of Lords without amendment within a month after being sent up to that House, shall be presented to His Majesty and become law upon the Royal Assent being signified; secondly, that Bills other than money bills shall be treated as set out in the Resolutions; thirdly, that "any certificate of the Speaker of the House of Commons given under this Act shall be conclusive for all purposes, and shall not be questioned in any court of law"; fourthly, that "nothing in this Act shall diminish or qualify the existing rights and privileges of the House of Commons"; and fifthly, that "five years shall be substituted for seven years as the time fixed for the maximum duration of Parliament under the Septennial Act, 1715."

The Parliamentary battle over this extremely controversial Bill was already in its first stages when the death in May, 1910, of His Majesty King Edward VII produced a temporary truce.

The new Solicitor-General, upon whose shoulders, as a Law Officer of the Crown, much of the legal aspect of the contemplated legislation fell, was fully occupied during the early months of the year. On the very day that his appointment was announced, he addressed a meeting of his constituents at Reading, called to consider the situation which had arisen. His promotion to an office of profit under the Crown necessitated his submitting himself for re-

election. At a moment such as this, when, from the practical equality of the chief parties, every seat was of vital importance, the problem was an anxious one. If Reading were to reverse its decision of two months earlier, the position of the Liberals would receive a severe blow. Such disasters are contagious, and might spread to by-elections in other parts of the country. But Mr. Asquith knew what he was about. Reading, without distinction of political parties, was proud of its Member, and sensible of the honour indirectly conferred upon the borough by his appointment. His speech at the meeting was enthusiastically received, and was typical of Sir Rufus' honesty and discernment.

Speaking of the honour conferred upon him, he mentioned that when he went to the Bar some twenty-two years previously it was with the greatest fear and the greatest doubts of his ability to make his way at it. Whatever distinctions he might win, whatever honours might be his in the future, he was determined that they should never be won by any steps which could be characterized as otherwise than perfectly honourable and legitimate. This was no mere oratory ; it was a simple and natural profession of faith, which has been fully borne out during his subsequent career. The electors of Reading, whatever their political views, and however bitterly these may have been opposed to those professed by their Member, had the perception to see that they were represented by a straight-forward and upright man. His opponents decided not to contest the by-election, and he was returned unopposed on March 12th.

In the same speech he outlined his attitude towards the Parliament Bill. As a loyal Liberal he upheld the views of the Government, but his statement was free from all invective and exaggerated abuse of the Lords as individuals. He stated that the efforts of himself and his party were concentrated upon the limitation of the Lords' veto. Their right of veto must be abolished as regards all matters of finance, and abolished within certain limits regarding other legislation. It was necessary in the interests of the country that the Second Chamber should be placed upon a more democratic basis, and meanwhile the only possible policy for the Liberal Party was to curtail or limit the power of the House of Lords.

The same reasonable attitude was again apparent when, on March 29th, the new Solicitor-General spoke at length upon the Resolutions in the House of Commons. In a temperate and carefully reasoned speech, the speech of a wise advocate who relies upon argument rather than invective, he set out the case for the Liberal Party. That his words were received with the closest attention goes without saying ; but Sir Rufus never succeeded in captivating the House of Commons with his eloquence, as he had formerly captivated the Courts of Law. However, he was listened to with very little interruption even from the most fervent spirits of the Opposition. In fact, to the high reputation which Sir Rufus had already established for himself as a lawyer, he had already added an honest regard for his abilities as a politician. There were those, in the ranks of the Conservatives as well as among the

Liberals, who acknowledged his possession of an acute and statesmanlike brain. His opportunity was not yet; the intricacies of domestic politics, although they afforded him a certain scope for the exercise of his distinguished talents, were not cast on a sufficiently grand scale for him to display his highest powers to their full advantage. Brilliant as was his political career during the ensuing four years, it was upon the legal side of his career that his attention was most earnestly fixed, as events were to prove.

But since, until his appointment in 1913 as Lord Chief Justice, it was in the political field that his career as a Law Officer of the Crown was cast, it is necessary to return to a consideration of the conditions by which he was surrounded. The death of King Edward VII overshadowed the storm which was brewing over the Parliament Bill, and cooled the heated spirit of either party to the dispute. The leaders on either side became more inclined to settle the point at issue by mutual agreement, should such a course be found possible. In June, Mr. Asquith invited the leaders of the Opposition to a conference, to be held in private, with the view of discovering some middle course which would be acceptable to both sides.

The Unionist leaders in the House of Lords had already given their assent to certain principles for the Reform of their House initiated by Lord Rosebery. These principles, which, while abandoning the hereditary qualification, did not touch upon the question of veto, were expressed in three Resolutions as follows:

1. "That a strong and efficient Second Chamber is not merely an integral part of the British Constitution, but is necessary to the well-being of the State, and to the balance of Parliament."
2. "Such a Chamber can best be obtained by the reform and reconstitution of the House of Lords."
3. "That a necessary preliminary to such reform and reconstitution is the acceptance of the principle that the possession of a peerage should no longer of itself give the right to sit and vote in the House of Lords."

Undeniably a great gulf existed between the Resolutions of Lord Rosebery and those of Mr. Asquith. But from the fact that the Unionist leaders had assented to the former, and so relaxed something of their rigid *non-possumus* attitude, it was hoped that the Conference might have some useful result. But their pious hopes were foredoomed to failure. The Conference held no less than twenty meetings at intervals during the summer and autumn of 1910; but on November 10th Mr. Asquith issued a curt statement to the effect that the Conference had come to an end without arriving at an agreement. Once more the whole question of the reform of the House of Lords was cast into the melting-pot.

A telegram announcing the failure of the Conference was handed to Sir Rufus while he was actually addressing a meeting at Reading. The news came as no surprise to him, as he had no illusions as to the hopelessness of trying to bridge over so wide a gulf.

In announcing the contents of the telegram to his audience, he reiterated, clearly and dispassionately, the unalterable intention of his party to proceed with the course to which they were pledged. The immediate question was not so much the reconstitution of the House of Lords, though this, as set out in the preamble to the Bill, was the eventual intention. But it was necessary that its powers of veto should be curtailed without delay, in order that the Liberal reforms contemplated by the Government should not be rendered abortive by the permanent Tory majority in the Upper House. A further appeal to the country might be necessitated by the breakdown of the Conference, but Sir Rufus had no doubt that the electorate would endorse the Government's policy.

In October Sir Rufus had exchanged the office of Solicitor-General for that of Attorney-General, and he was now the principal Law Officer of the Crown. It is interesting to note that he was only the second individual of the Jewish faith to hold the position of Law Officer, the first having been Sir George Jessel, who was Solicitor-General in Mr. Gladstone's Administration of 1868–74. His official duties now absorbed the greater part of his time. He had resigned his seat on the Royal Commission on Divorce and Matrimonial Causes in June, and Sir Frederick Treves had been appointed to the vacancy. But although most of his colleagues in the Government preferred, in their public utterances, to deal entirely with the constitutional issue raised by the question of the Lords' veto, Sir Rufus displayed his allegiance to Liberalism in other directions. His instincts as a

lawyer showed him the danger of allowing any of the arguments of his opponents to pass unrefuted. The Unionists were opposing Tariff Reform to the Liberal taxation proposals, and showed signs of putting this policy forward as the main plank in their platform at the next election. Sir Rufus, a convinced Free Trader, laid himself out to oppose their arguments at every opportunity.

He delivered a typical speech upon this subject on October 6th when addressing the electors of the City of London at the Cannon Street Hotel. To expound Liberal doctrines in the City, then as now a stronghold of Conservatism, was a bold endeavour in itself. But two factors operated in his favour. Sir Rufus was personally well known and esteemed in the City, where his integrity and fairness of outlook were well known and the object of his attack, the proposed measures of Tariff Reform, was a subject upon which individual Conservatives were by no means in complete agreement. Sir Rufus, suiting his argument to his audience, took the fullest advantage of his position. He pointed out that London stood in an entirely different position from most of the great cities of the world. She did not depend for her supremacy upon her manufactures, considerable as these were, but upon her credit machinery and her enormous shipping trade she possessed as the greatest port in the world. Her credit system in itself was a national asset, and her shipping trade gave employment, directly and indirectly, to a large section of the community. Tariff Reform, if it meant anything, meant the restriction of imports, which in turn would mean a

decreased use of shipping and of credit facilities. So adversely would the adoption of Tariff Reform affect the City of London, that its effect upon the population would be to benefit one-sixth of its members at the expense of the remaining five-sixths.

It fell to Sir Rufus to enunciate the Liberal attitude towards the ever-increasing demands of Labour, which were causing his party considerable anxiety at this time. The Labour Party was very well aware of the value of its vote in the House of Commons, and was disposed to demand a higher price for it than the more moderate of the Liberal leaders were prepared to concede. The Osborne Judgment had been delivered in December of the previous year, and Labour was agitating for the introduction of legislation which would nullify the effects of this decision. The Osborne Judgment meant that the funds of the Trades Unions could no longer be used for political purposes, against the wills of those who contributed to them, or, in other words, that they could not be applied to the payment of Labour members. Sir Rufus, speaking at the Manchester Reform Club on October 14th, dealt with the Osborne Judgment and its bearing upon the representation of labour in the House of Commons. He admitted that the decision meant that the door of the House of Commons was closed against the direct representatives of the wage-earning classes. The Liberal Party did definitely want to see Labour men in Parliament, and would do their best to help them to get there. At the same time, the Liberals could not throw

over principles vital to Liberalism in order to effect this.

This straightforward declaration was exactly what might have been expected from Sir Rufus. He had the courage, at a critical moment in the history of his party, to warn one of the groups upon which it relied for support, that it must not expect any betrayal of Liberal principles.

It was realized on all sides that the failure of the Conference meant another General Election. The Parliament Bill was immediately introduced into the House of Lords, Lord Crewe, the Liberal leader in that House, announcing that the Government would accept no amendments. At the same time (on November 15th) the Cabinet presented a memorandum to King George, which was worded as follows :—" His Majesty's Ministers cannot take the responsibility of advising a dissolution unless they may understand that in the event of the policy of the Government being approved by an adequate majority in the new House of Commons, His Majesty will be ready to exercise his constitutional powers, which may involve the prerogative of creating peers, if needed, to secure that effect shall be given to the decision of the country. His Majesty's Ministers are fully alive to the importance of keeping the name of the King out of the sphere of party and electional controversy. They take upon themselves, as is their duty, the entire and exclusive responsibility for the policy which they will place before the electorate. His Majesty will doubtless agree that it will be inadvisable in the interests of the State that any communication of the intentions of the

Crown should be made public unless and until the actual occasion should arise."

To this course His Majesty, in the subsequent words of Lord Crewe, "assented with natural and legitimate reluctance." It was an unprecedented course for any Cabinet to take, and could only have been justified had the country as a whole returned an overwhelming majority in favour of the Parliament Bill. The election was fixed for December, and the intensive political campaign began over again. Mr. Asquith himself addressed a meeting at Reading, called to support Sir Rufus' candidature, and the Attorney-General in return lent the weight of his oratory to many of the Liberal candidates. Even at this crisis in the long fever of political excitement his speeches were almost uniformly temperate and well-reasoned. The nearest approach to invective which he allowed himself was at Rawtenstall on December 12th, when he stigmatized the House of Lords as an "irresponsible oligarchy," a phrase mild in comparison with the expressions used towards the Second Estate of the Realm by his Ministerial colleagues.

The results of the December elections were as indecisive as those of January had been. The Liberals and Unionists were returned in exactly equal numbers, 272 seats each, while the Nationalists secured 84 seats and Labour 42. Parliament met on February 6th, 1911, and on the 21st the Parliament Bill was re-introduced. By March 15th it had passed the third reading, and was sent up to the House of Lords, Mr. Asquith having utilized the majority at his disposal to crush ruthlessly

every amendment proposed by the Opposition. The Liberals had only one anxious moment, when the Labour Party voiced an amendment that the words in the preamble referring to the eventual intention of setting up a reformed Second Chamber should be omitted. The amendment was defeated, and the Labour members, though disappointed, continued to vote with the Government.

The Coronation of King George V delayed the consideration of the Bill in the House of Lords. The Unionist leader in that House, Lord Lansdowne, produced in the meanwhile a scheme for its reform following more or less the lines of Lord Rosebery's Resolutions. But, to the Liberals any such scheme was utterly unacceptable, so long as the Upper House, whatever its constitution, retained its existing powers unimpaired. In fact, the second quarter of 1911 passed with no more than mere political skirmishing, each side manœuvring to secure a position of the greatest advantage. The Committee stage of the Parliament Bill in the Lords lasted from June 28th to July 6th, and in the course of it two Unionist amendments, the purport of which was to substitute a joint committee of the two Houses for the Speaker as the authority for deciding whether a Bill was a money bill or not, and to provide for a referendum in certain cases, were inserted, in the face of a warning that the Government would not accept them. Thus amended, the Bill was read for the third time without a division on July 20th.

The House of Lords had definitely flung down the glove and the next move lay with the Government.

It was not known whether Mr. Asquith had actually secured the King's consent to the creation of sufficient Liberal peers to give him a majority in the Lords. But the matter was not left long in doubt. On July 21st a letter from Mr. Asquith to Mr. Balfour was published, of which the following is an extract:

"When the Parliament Bill, in the form which it has now assumed, returns to the House of Commons, we shall be compelled to ask that House to disagree with the Lords' amendments. In the circumstances, should the necessity arise, the Government will advise the King to exercise his prerogative to secure the passing into law of the Bill, in substantially the same form in which it left the House of Commons, and His Majesty has been pleased to signify that he will consider it his duty to accept and act on this advice."

The publication of this letter raised a storm, as might have been expected. But, in the face of it, Lord Lansdowne and the wiser leaders of the Opposition in the House of Lords realized that further resistance was hopeless. A small minority, the original "Die-hards," under the leadership of the veteran Lord Halsbury, refused to vote for the Bill when it was presented to the Lords once more in its original form. But, in the face of the pistol held at their heads by Lord Morley, who declared that if the Bill were again to be defeated, "His Majesty would assent to a creation of peers sufficient in number to guard against any combination of the different parties in Opposition by which the Parliament Bill might again be exposed to defeat." The Bill finally passed the Lords by the narrow margin of 131 to 114, and thus became law.

The history of the Parliament Act has been dwelt

upon at some length, for it was the dominating issue of the years from 1910 until Sir Rufus Isaacs' parliamentary career closed with his elevation to the post of Lord Chief Justice in 1913. The struggle over this Act had so far been the bitterest political campaign of the twentieth century, and it was, indeed, the forerunner of the Home Rule crisis which agitated the years immediately preceding the war. It was a period when political abilities were put to their highest test, and when the possessor of a cool head in the turmoil of excitement was an incalculable asset. Sir Rufus had proved to the world at large that he possessed this asset in the highest degree. The crisis was at its most acute stage in June, 1911, when Mr. Asquith, feeling the need for the ablest advice at his disposal, assigned to his Attorney-General a seat in the Cabinet, the first time such an honour had been conferred upon a Law Officer of the Crown.

There could be no doubt of Sir Rufus' qualifications for the post. During the political clamour which had surrounded the Liberal campaign against the House of Lords he had fought two General Elections with unfailing skill, yet without stooping to the vulgar abuse employed by so many of his colleagues. He had refused to be carried away by the excitement of the moment, and his appeal for election had been based upon the principles of pure Liberalism. He had disdained to pander to the non-Liberal section of his constituents, seeing more clearly than other members of his party the danger to which Liberalism was exposing itself by identifying its policy with that of Labour, and the Irish Nation-

alists. Liberalism was to him a definite political creed, separate and apart from those professed by all other parties, and as such it was worth upholding for its own sake. He had long ago proved his ability as a consummate advocate. Since his first election in 1904 he had demonstrated his worth as an able and sincere politician, at a time when sincerity seemed to have been abandoned on all sides in favour of the quick-change methods of the mountebank. The time was not far distant, when in his country's greatest need, he was to exhibit the greatest qualities of the statesman.

CHAPTER VI

The Marconi Affair

IT is a symptom of the extraordinary activity of Sir Rufus Isaacs' mind that, however busily engaged he might be in any one pursuit, he always found time to keep himself in touch with other interests. During the most strenuous years of his life at the Bar, he had contrived to follow politics closely enough to acquire that accurate knowledge of the game essential to the Parliamentary candidate. On the other hand, after his election in 1904, he could never be accused of neglecting the interests of his constituents, although he was then at the height of his legal career, as exemplified by his participation in the notorious Whittaker Wright trial of that year. Indeed, so well known was his ability for constant and unremitting labour, that on the one occasion when his legal and political duties clashed, Lord (then Mr.) Justice Darling found in the incident a subject for his accustomed kindly humour. The occasion was in January, 1910, when application was made on behalf of Rufus Isaacs for the postponement of the hearing of Kenealy versus the Amalgamated Press and others, in which case he was engaged for the defendants, on the grounds that he was occupied in the election.

In the same way, his duties as a Law Officer of the Crown did not prevent him from maintaining the connection with the City, which he had retained since his early days on the Stock Exchange. How valuable to the country these connections were to prove was not yet to appear. At this period, Sir Rufus had gained his rapidly growing reputation almost entirely in the legal and political fields. But, although the fact was not so conspicuous, his abilities had gained recognition in yet a third direction, that of finance and business. It is a high tribute to the man's versatility and extraordinary grasp of affairs that he should have been able, at a period when his political duties alone were a source of anxious care, and must have absorbed the greater part of his time and attention, to keep himself thoroughly *au fait* with every slightest movement in two other complicated spheres of activity.

To those whose interest in passing events is confined to a rapid scanning of the newspapers, and who are more apt to give credence to scraps of idle gossip, than to recorded and fully authenticated facts, it may seem that Sir Rufus' connection with the City was responsible for the only slur which even his enemies have ever been able to cast upon his character. There are always in existence a large number of people anxious to discredit those whose merit and abilities have raised them to a high position, and the insistent clamour of these folk reaches considerably further than the calm and dispassionate denial of their insinuations. The world, and more especially the political world, is ever more ready to credit evil than good, and to impute dishonest

motives to those whose opinions do not coincide with their own. The memory of a fancied stigma remains, when the ordinary, straightforward, and therefore less sensational, explanation of an incident has long been forgotten. To-day the so-called "Marconi Scandal" is mentioned with a shrug and a smile by those who have only the vaguest conception of the true facts of the case.

In order fully to understand the circumstances, it is necessary to realize the political atmosphere of the years 1912 and 1913. The struggle over the Parliament Act, described in the preceding chapter, had created a state of intense bitterness and tension. This was caused not so much by the actual difference of opinion between the two parties over the necessity for restricting the veto of the House of Lords, as by the circumstances with which the struggle had been surrounded. In different circumstances the Parliament Act would probably have raised no more altercation than is normally raised by any disputed measure. But it was an undisguised fact that the Parliament Act was merely a preliminary designed to facilitate the passing into law of vital measures upon the advisability of which the British electorate was almost equally divided. Further, many of the Liberal spokesmen—among which, as we have seen, Sir Rufus was a notable exception—had employed language calculated to exacerbate the feelings of their opponents. Men's passions on both sides had been aroused until they had reached an ugly pitch of exasperation, as had been proved by the scenes in the House of Commons in July, 1911, and was yet

to be shown by the events which accompanied the struggle over the Home Rule Bill. In the midst of this overheated political atmosphere an event occurred which was eagerly seized upon by those who had been watching for an opportunity of attacking the Liberals, and which at one time threatened to bring eternal discredit upon more than one innocent individual.

During the whole of the period from 1910 onwards vague reports had been current which tended to throw discredit upon Liberal Ministers and others. These rumoured accusations were, as a rule, wholly intangible, but their general purport was to the effect that the members of the Liberal Cabinet had abused their inside knowledge in order to carry out various share transactions for their own private benefit. These rumours were not confined to this country, where at first they obtained only limited credence, but circulated widely on the Continent, where, from a prevailing ignorance of the traditions of English public life, they were largely believed. The source of these rumours has never been satisfactorily divulged, nor need it concern us, since they were all manifestly false. It is a matter of common experience that unpopularity of policy breeds of itself aspersions upon personal character. It was not until a French newspaper, *Le Matin*, had exposed itself to an action for libel by the publication of certain definite statements that an opportunity of vindicating themselves was given to those upon whom suspicion lay.

Ever since the conclusion of an agreement between the Government and the Marconi Company respecting

the construction of a chain of wireless stations throughout the Empire, there had been whispers that the circumstances surrounding this agreement needed investigation. At first these whispers concerned the terms upon which the agreement had been concluded, which were alleged to be unduly favourable to the Company. But in course of time the accusation of corruption crept in, and gradually stories began to be spread about to the effect that certain Ministers had benefited financially by the arrangement, and had utilized their positions as members of the Government in order to make a profit for themselves by transactions in shares of the Marconi Company.

So persistent did the rumours become that they gravely threatened the prestige of the Government. The Prime Minister, in consultation with his colleagues, decided that something must be done, and on October 11th, 1912, the Postmaster-General, Mr. Herbert Samuel, moved " that a Select Committee be appointed to investigate the circumstances connected with the negotiation and completion of an agreement between Marconi's Wireless Telegraph Company, Commendatore Guglielmo Marconi, and the Postmaster-General, with reference to an establishment of a chain of wireless stations, and to report thereon, and whether the agreement is desirable and should be approved. That the Committee have power to send for persons, papers and records."

This method of approaching the subject had the advantage of permitting a more or less informal debate on the motion, in the course of which the critics of the Government would have an opportunity

of stating their views. Major Archer-Shee took the principal part in the debate from the Conservative benches, while Labour was represented by Mr. Lansbury. The terms of the agreement were discussed at some length, but it was obvious from the first that these did not form the principal objective of the attack. It was not long before this assumed a more personal aspect, and it soon became evident that the shafts were aimed at the Attorney-General and Mr. Lloyd George.

No direct reference was made, either by Major Archer-Shee or by Mr. Lansbury, although the current rumours must have been known to every individual in the House. The only criticism of the Attorney-General made by Major Archer-Shee concerned a telegram which the latter had sent to New York in the previous March. Sir Rufus Isaacs' younger brother, Mr. Godfrey Isaacs, was Chairman, both of the British Marconi Company and of the corresponding American Marconi Company which had recently been formed. Commendatore Marconi and Mr. Godfrey Isaacs happening to be in New York upon some legal business connected with the American Company, the occasion was taken advantage of to give a banquet in their honour. On the day of the banquet, Sir Rufus had sent a wireless message in which the following words occurred: "Please congratulate Signor Marconi and my brother on the successful development of a marvellous enterprise. I wish them all success in New York." This message had been publicly read during the course of the banquet!

Major Archer-Shee contended that it was "a

great mistake and a most injudicious proceeding" on the part of one of His Majesty's Ministers to send such a message on the occasion of a banquet given for the purpose of booming the American Marconi Company, especially in view of the relations between the British Company and the Government. He made it perfectly clear that this was the whole of his charge against the Attorney-General, indeed, he went out of his way to pay a high tribute to his personal character. As regards other vague charges, as yet unmentioned, but known to everybody, Major Archer-Shee was particularly emphatic. They were merely scurrilous, and they in that House need pay no attention to them.

So far, then, the charges against the Attorney-General resolved themselves into these, that as a member of the Government he was responsible, jointly with his colleagues, for the conclusion of an agreement which had been criticized as unsatisfactory, and that he had committed an error of judgment in allowing his name to appear as the author of a telegram which could be used to further the interests of the American Company. The first of these charges involves the question of the individual responsibility of a Minister for the decisions of the Government of which he is a member. But in the particular case of Sir Rufus Isaacs, it contained the germ of a far more important question. How far had he influenced the decision of the Government to conclude a contract with a company of which his brother was the Chairman? It was this question which had inspired much of the rumour with which the country was buzzing.

The second charge was slightly more involved. The telegram itself was innocent enough; its importance lay only in the use to which it had been put as an example of the amazing stories which were being circulated and which obtained wide acceptance; it may be mentioned that the message had concluded with a reference to the coal strike which was taking place at the time of its dispatch. Sir Rufus had expressed a hope that by the time Signor Marconi and his brother returned, this coal strike would be at an end. To those who looked for some sinister intention in the message, this appeared to be a wholly irrelevant termination, so irrelevant that it must conceal some secret meaning, probably connected with the Government contract. It was said that the message was in the nature of a code, to be understood only by the initiated, and that it was designed to favour in some mysterious way the fortunes of Sir Rufus and his brother. As a matter of fact, to any impartial reader, the wording of the message, consisting of conventional generalities as it did, was sufficient proof of its innocence. It is the typical message of a busy man, his mind only partially diverted from the exigencies of the moment, wishing to send a polite message on the occasion of a function in which he was scarcely interested. But the public is loath to accept the simple and obvious explanation of a politician's action. It prefers to search beneath the surface for some complicated motive which could exist only in the imagination.

The innocence of the message was beyond question, and Major Archer-Shee never for a moment gave

credence to the rumours of the double meaning. His point was that it was extremely injudicious for a member of the Government to send a message which could be put to the purpose of "boosting" any commercial undertaking. The acceptance of public office involves severe restrictions upon the liberty of action of the individual. Sir Rufus, as a private individual, had a perfect right to send what greetings he chose to his brother. But Sir Rufus, as Attorney-General, should have considered the weight attaching to his name from his official position, and should have refrained from any utterance which could possibly have received a wider implication. This criticism cast no aspersion upon his integrity, but merely upon his judgment.

Mr. Lansbury's contribution to the debate was less a direct criticism than a speech containing scarcely veiled references to the rumours then in circulation. He had not been on his feet for many minutes before he provoked Mr. Lloyd George to indignant interruption, and it was evident that his words were meant both for him and for the Attorney-General. Still there was no open reference to the accusations which had been made outside the House, and it was reserved for Sir Rufus, with his usual honesty and directness, to put into words the subject which filled the minds of all who listened to the debate. His opportunity came to speak in his own defence, to refute both the direct charges of Major Archer-Shee and the more damaging insinuations of Mr. Lansbury. The sympathy of the House was with him; even his political opponents were convinced of his personal rectitude. The

attack was a purely political one; the Marconi agreement and the cloud of rumour which surrounded it, were merely so many sticks with which to belabour the Government. Sir Rufus, by entering upon subjects which had not hitherto been mentioned, could have put an end at once to the scandals with which his name was connected. But his own rigid conception of the scope of Parliamentary debate, and his determination to bear the brunt of any blame attaching to him without involving his colleagues, withheld him from this course.

He replied to Mr. Lansbury by saying that the sole reason for his suggestions or insinuations was that his brother happened to be Managing Director of the Marconi Company. This, as he pointed out, was a purely accidental circumstance, and had no bearing whatever either upon his own position as Attorney-General or upon the contract entered into between the Government and that company. Both now and on subsequent occasions he emphasized the fact that he had had no hand whatever in the negotiations leading to the conclusion of the contract. He was not even aware that it had been concluded until he heard of it later in his private capacity. Finally, and here at last he touched upon the very nucleus of the scandal, he stated emphatically that never, from the beginning, had he had one single transaction in the shares of the company. The debate terminated in the motion of the Postmaster-General being agreed to without a division, and the appointment of the Select Committee was thus authorized.

It seemed incredible to many people that the

Attorney-General, the first Law Officer of the Crown, should not have official cognizance of the negotiations leading up to the conclusion of so important a contract. It is a very common popular delusion that the Government acts as a whole and that every member of it must necessarily have a say in at least the principal decisions of each Department. But, as Sir Rufus pointed out more than once in the course of the proceedings which were to follow, this is by no means the case. The Law Officers, in particular, are not concerned with the decisions of the Departments. Their capacity in this respect is purely advisory, and they exist to give advice upon such cases as the Departments may choose to refer to them. The Heads of Departments, in other words, the Ministers in charge, are alone responsible to the Prime Minister, and no one of their colleagues need necessarily have any knowledge of their decisions.

Indeed, Sir Rufus had always been scrupulously careful to abstain from any official action for or against the Marconi Company. It had so happened that the holders of one of the Marconi patents had applied for an extension of the period of protection granted to them. Such applications are not very frequent, and it is the custom for one of the Law Officers of the Crown to appear when the application is heard. In this instance, as soon as Sir Rufus had heard of the application, of which the success would possibly be of advantage to the Marconi Company, he had directed that the matter should be handled by the Solicitor-General, and had himself abstained from any action in the matter.

It might have been supposed that Sir Rufus' declaration that he had never had a single transaction in the shares of the Marconi Company would have silenced the many rumours in circulation regarding his financial operations. But this was far from being the case. The rumours refused to be silenced, and their echoes extended beyond Great Britain. The hints that there existed a carefully concealed scandal in connection with the Marconi contract, involving the honour of His Majesty's Ministers, came to a head in the publication by *Le Matin*, a French paper with the highest reputation, of a statement to the effect that the Postmaster-General and the Attorney-General were partners in a conspiracy by which they had purchased Marconi shares at a low price before the conclusion of the contract was made public, and had subsequently sold them at an enormous profit. On March 12th, 1913, it was announced that these two members of the Government had commenced an action against *Le Matin*, which paper had a publishing office in London. Owing to this circumstance the action could be heard in the English courts.

The action was tried on March 19th, before Mr. Justice Darling. It was undefended, and for that reason there was some expectation that the proceedings would be merely formal. But it was felt that the time had come to put a stop to these repeated slanders, by nobody more strongly than by Sir Rufus. Sir Edward Carson and Mr. F. E. Smith appeared for the plaintiffs, the choice of these strenuous political opponents being deliberately made, in order that there should be no question of

party bias. In the course of his statement, Sir Edward Carson emphatically repeated Sir Rufus' declaration that he had never had any dealings whatever in the shares of the British Marconi Company, but that he had purchased ten thousand shares in the American Marconi Company, an independent organization which had no interest in the profits of the British Company, although the latter had shares in it. Of these ten thousand shares purchased by his client, he had sold one thousand to Mr. Lloyd George and a further thousand to Lord Murray, the Master of Elibank. The proprietors of *Le Matin* freely admitted that the passage complained of had been inserted under a misconception, and apologised to the injured parties.

But the publication of Sir Edward Carson's statement raised a storm throughout the country. The opponents of the Government seized upon it as a heaven-sent political weapon, and professed to see no difference between the British Marconi Company and its American counterpart. They accused all those concerned of deliberate prevarication at the time of the debate upon the appointment of the Select Committee, and demanded the fullest investigation of the facts of the case. Accident had lifted one corner of the curtain hiding the misconduct of Ministers. Who could tell what further scandals might be revealed when the whole width of the veil was torn aside?

There can be no doubt that the withholding of this information at the time of the debate in the House of Commons was a tactical error on the part of Sir Rufus and Mr. Lloyd George. Had the position

been explained at that time the sting of the scandal-mongers would definitely have been drawn. As it was, they were afforded an additional period of many months in which to develop their campaign, and their position at the opening of the sittings of the Select Committee was enormously strengthened. Conjecture was naturally rife as to the reasons which had led Sir Rufus to keep silent upon the matter of the American shares, and it was freely suggested that he had done so upon the advice of the Prime Minister, who had feared the effect of such an avowal upon the prestige of the Government.

Sir Rufus' attitude in the midst of the fury of this storm was typical of the man. Ever since October of the previous year, when the House had sanctioned the appointment of the Select Committee, he had anticipated being called as a witness before that Committee. He regarded the Committee as in the highest sense a court of justice, and his rigid and straightforward conception of legal rectitude made it impossible for him to anticipate his evidence. From the moment when the motion for the appointment of the Committee was agreed to until it should be his turn to give evidence before it, he felt that his lips were sealed. It had required the authority of a court of justice for him to authorize his counsel to make even a statement in his own defence. If he had lost his chance of speaking before the motion was carried, he must bear the consequences.

He said as much to his constituents at Reading, and again to the many bodies of sympathizers who rallied round him. Much as he would have liked

to show his appreciation of their sympathy by making explanations which would have cleared him in their eyes, he felt that he must reserve any statement for the Committee, despite his anxiety to uphold his reputation and his honour. Nor, as he felt, was this alone involved. The fortunes of his friends, of the Government itself, depended almost entirely upon the evidence which he should give.

Although his silence upon the purchase of the American shares had been a tactical error, it was nothing worse. His opponents chose to stigmatize it as a deliberate attempt to mislead public opinion, but such had never for an instant been Sir Rufus' intention. His exact and logical mind failed to appreciate the popular confusion caused by a similarity of name. To the man in the street, eager for sensation, and therefore prone to accept any startling sensation without sufficient examination, the difference between the British and American companies could be one of degree only. To Sir Rufus, they were two entirely different things. Knowing accurately the actual relations between the two companies, they ceased to be associated in his mind, and he regarded the American Marconi shares exactly as he regarded any other of his private investments. To him, the question had been whether he had had any transaction in the shares of a company under contract to the British Government. He had not, and his statement to that effect was in his eyes sufficient. His holding in the American Company was wholly irrelevant, and it never for a moment occurred to him that it had any bearing upon the point at issue.

Sir Rufus appeared for the first time before the Select Committee on March 25th, shortly after the hearing of the libel action. Sir Rufus, as he himself said subsequently, had expected to be called long before this. The Committee had been in existence for several months, and the delay between its appointment and the hearing of its most important witness is inexplicable. He was at once subjected to a bombardment of questions, relevant and irrelevant. A Parliamentary Committee, from its unavoidable internal division into groups representing the political party to which they belong, is probably the worst instrument for elucidating the true course of any series of events or for pronouncing judgment upon those events. It must be borne in mind that the Marconi affair was, to a very large extent, a political controversy. The Government was the real target aimed at in the person of its Ministers. Nobody really believed that Sir Rufus had been guilty of corruption, but any suspicion cast upon him would also touch Mr. Lloyd George, who had effectually antagonized his political opponents by the methods of vulgar abuse to which he had descended. And it was in this light that the Committee, composed of members of all parties, regarded the inquiry.

The attitude taken up by the Attorney-General was one of complete frankness, and he made no secret of his desire to take upon his own shoulders whatever blame might be owing to his actions. He took a very early opportunity of denying the report that it was upon the advice of the Prime Minister that he had made no reference to his purchase of

American shares during the debate on October 11th. The whole story of the negotiations leading up to the conclusion of the contract between the Government and the British Company was examined from every possible angle, and it was established beyond question that the Attorney-General had had no share whatever in those negotiations. This, after all, was the principal point, although many members of the Committee failed to appreciate the point. They preferred to concentrate upon the question whether or not Sir Rufus, by his purchase of the shares of the American Company, had not in fact benefited by information given to him by a person under contract with the Government, an action in itself an offence against Parliamentary ethics. It was round this point that the examination of the witness chiefly centred.

To this end the relations between the British and American companies were examined with meticulous thoroughness, Mr. Godfrey Isaacs himself being summoned before the Committee. At this time the interest in the practical application of wireless telegraphy was very great, and this interest was reflected in the eagerness with which the public bought the shares of the various Marconi companies. The loss of the *Titanic* in 1912 had been a tragic illustration of the possibilities of wireless telegraphy as applied to ships, and the publicity given to this disaster, both in England and America, had done more to educate the non-technical in the knowledge of the means of communication than any other event. It was to this public interest that the various Stock Exchange witnesses attributed the

high price of the shares of the American Marconi Company. The contract between the British Company and the Government, by which the American Company benefited only very indirectly, could hardly have affected the value of the shares of the latter.

It had been implied, among the many reports which had been in circulation during these months, that although it was demonstrable that Sir Rufus had had no dealings in the shares of the British Company in his own name, he had in fact had transactions in these shares through a nominee. This point Sir Rufus dealt with very thoroughly in his evidence before the Committee. From the very first he showed an unshakable resolution to hide nothing whatever, and to court the very fullest inquiry into every one of his actions which could in any possible way be connected with the matter at issue. He denied absolutely that he had ever employed a nominee in any financial transaction whatever since he had first been called to the Bar. In support of this statement he offered to produce the whole of his private accounts for the inspection of any body which the Committee might appoint for the purpose. This attitude was so obviously genuine that it convinced the world that, whatever blame might attach to his actions, there was not the slightest suspicion that any incident remained concealed.

There is no object in dealing with the proceedings of the Committee, since the main points of the inquiry were dealt with in a more easily comprehensible form during the debate which took place

in the House on the 18th and 19th of June following. It is only necessary to record the fact that the report of the Committee lacked unanimity, and disclosed the strong political bias of its members. Upon only one point were the members of the Committee in complete agreement, and that was that the charges of corruption which had so freely been made against Ministers were unfounded. This, after all, was the most important matter, for it had been the suggestion of the existence of a system of corruption among the members of the Government which had most deeply shaken public confidence.

The Chairman of the Committee, a Liberal, had prepared a draft report, in which the conclusion was reached that Ministers had been ill-advised, both in their purchase of shares in the American Company, and in the period which they had allowed to elapse before disclosing their purchases. But, from the point of view of the supporters of the Government, this appeared to involve a stricture which would react upon the Government itself. They preferred, most unwisely for the reputation of those upon whom the reflections had been cast, to lay themselves open to the fatal charge of " whitewashing." Whitewashing, as one of their opponents very aptly remarked, is a process which produces an apparently clean surface, not by removing blemishes, but by covering them up. The majority report, which awarded no blame to anyone except those who had circulated the reports, subscribed to as it was by the Liberal, Nationalist, and Labour members of the Committee, produced the immediate

impression that, whatever was the true opinion of the Committee, the expression of this opinion had been buried owing to political considerations, or in other words that the supporters of the Government were deliberately suppressing any criticism of two of the leading men of their faction. It is not too much to say that, had the incident ended with the report of the Committee, the judgment of the public would have been that beneath the whitewash there must be some action on the part of Sir Rufus and Mr. Lloyd George which the Government could not afford to allow to be disclosed. As it was, it was only natural that the worst construction should be put upon such a report.

The minority report, subscribed to by the Unionist members of the Committee alone, was, it must be confessed, more closely in accordance with the evidence and with the Chairman's draft report, although it went too far in the opposite direction. The substance of this report was that Ministers had acted with grave impropriety, admittedly too strong a phrase. Had the report been content with expressing the opinion that Ministers had been guilty of a grave error of judgment, it would have voiced the conclusions of all those who had impartially followed the evidence given before the Committee. As it was, it exposed the members of the Opposition to the charge of endeavouring to make political capital out of the inquiry, rather than of striving to render a true verdict in the case which had been submitted to them. The labours of the Committee, in fact, left the matter very much where it had been months before, and the public was obviously

dissatisfied at so indecisive a termination of the proceedings.

Sir Rufus was the first to appreciate his own position. The idea of " whitewash " was abhorrent to him ; he was not the man to rest content with an acquittal delivered from considerations of political expediency. So far as his political career was concerned, this acquittal was enough, and more than enough, to justify him. But it was not enough to clear his personal character in his own eyes. He knew himself to be innocent of everything but an error of judgment, but he also knew that his innocence had not been sufficiently established by a report framed by a group of his political friends. There yet remained for him a chance to make a frank statement before the world, and to confess to the blame attaching to him in respect of an action which he deeply regretted. A debate was to follow the sittings of the Committee, and in this debate Sir Rufus saw the last remaining chance of clearing his name. His evidence before the Committee itself had been amply sufficient for this purpose, but owing to the folly of his own political supporters the benefit of it had been denied to him. The " whitewash " with which he had been smeared left him in his own eyes far more deeply compromised than before.

On June 18th, 1913, Lord Cave, then Mr. Cave, Unionist Member for Richmond, moved in the House " That this House regrets the transactions of certain of His Majesty's Ministers in the shares of the Marconi Company of America and the want of frankness displayed by Ministers in their com-

munications on the subject to the House." In the course of his speech he put, very fairly and adequately, the point of view of those who were not satisfied by the evidence given before the Select Committee. His argument was somewhat as follows: He referred to the arrangements which were made in New York, a few days after the acceptance of the Marconi Company's tender by the Postmaster-General, by Mr. Godfrey Isaacs. The result of these arrangements was such that Mr. Godfrey Isaacs returned to England with one hundred thousand shares of the American Marconi Company at his disposal, and was possessed of confidential information as to agreements entered into between the English and American Company which information was not available to the public.

Two days after his return to England he arranged an appointment with his two brothers, and informed them of the likelihood of the American shares appreciating in value. At that time Sir Rufus refused to purchase any of the shares, but ultimately, on April 17th, he agreed to take ten thousand. Subsequently Sir Rufus resold a thousand shares each to two of his colleagues, and, when the rise came, all three made a certain profit by disposing of their holdings. Mr. Cave then made the point that this was an infringement of the unwritten rules of the House. "They (the Ministers in question) had made a big profit. They had made it in consequence of the information given to them by Mr. Godfrey Isaacs, representing the British Company, a Company which was contracting, or about to contract, with the Government. They

owed that profit to him, and if so, there was a clear breach of the rules, to which I have referred, that no Minister can take any favour or advantage from a man who is contracting, or about to contract, with the Government."

Turning to the fact that the Attorney-General had not disclosed his transactions earlier, Mr. Cave continued: "In July, I think, the Prime Minister was told of the first purchase. On August 7th the Postmaster-General moved in this House the confirmation of the contract. Nothing was said about the investments—perhaps that was not the time—and the debate was adjourned. . . . During August and September rumours began to circulate connected with the names of the Chancellor of the Exchequer and the Attorney-General, rumours of speculations in Marconi shares. . . . On October 11th there being two motions on the paper for the appointment of a Committee to consider this matter, the Government acceded to the proposal and moved for the appointment of a Committee. The charges against Ministers were mentioned, but every speaker from this side of the House said that he had no belief in them. Mr. Lansbury, who is not now in the House, said, 'A statement has been spread broadcast publicly that considerable sums of money have been made out of the sale of these shares, and that they have been made by people who had information in connection with this matter previously to other people.' The rumour referred to in that statement was untrue if it referred to British Marconi Shares. It was true as applied to American Marconi Shares. What did Ministers do? The Chancellor of the

Exchequer made a somewhat passionate protest, but made no statement. The Attorney-General made a careful statement in which he denied categorically these rumours with regard to the British Company. He made no reference to the purchase of American Marconi Shares. I feel bound to say that I don't think in that respect he dealt fairly with the House. I cannot help thinking that he thinks so himself to-day. He has said he did not tell the House because he did not think the matter relevant to that debate, but that he intended to tell the Committee. The Committee began to sit at once. The hon. and learned gentleman offered to appear as a witness, but he gave the Committee no information as regards these purchases—no information that would lead them to take him as an early witness."

The principal criticisms against Sir Rufus having thus been expressed by the mover of the resolution, a debate followed, which lasted for two days. The Attorney-General took the earliest possible opportunity of replying, and his speech is so typical of the straightforward attitude which he adopted throughout that it is worthy of being quoted at some length. After a tribute to the great moderation and complete fairness of the mover of the resolution, he continued: "I shall not for one moment avoid dealing with the salient features of the case made by the hon. and learned gentleman. I rise first, because, in historical order, I am the first in this transaction. It is I who introduced this transaction to the Chancellor of the Exchequer and the Master of Elibank. I have had an opportunity of saying

before on more than one occasion, and I repeat it now to the House, that whatever criticism has to be made on these transactions should, in the main, be directed to my action, and that whatever blame is to be attached should fall upon me, and not upon my right hon. friend the Chancellor of the Exchequer, and the Master of Elibank. Let me also say at the outset, and before I discuss any details of the American Marconi Share purchases, that with much that fell from the hon. and learned member for Richmond (Mr. Cave) with reference to October 11th I am in accord. As I followed him, and I did so very carefully in all that he said, he made no imputation—he will correct me if I am wrong—of intentional concealment. What I understood him to say, and the complaint which he made, was that we had not stated all these facts on the occasion of October 11th.

"I agree with him, and I want to state it quite plainly to the House, so that there may be no mistake about it—looking back upon all that has happened, reviewing the circumstances as we now know them, bearing in mind the lapse of time from the appointment of the Committee to the date of our being called to give evidence, I think that the course that we took on October 11th was a mistaken course. I think the House is entitled—and when I say the House I am not referring to any party or to any section of a party; I think that all members of the House are entitled to get, not only from Ministers, but from each other, as members of the House of Commons, frank statements in answer to any questions which may be raised in the House;

and I say to the House as a whole dealing with this matter that the course which we pursued, and which I will explain in a moment in a little more detail, was a course which I think now, and by the light of all that has happened, was a mistaken one. I hope at any rate that no one can misunderstand what I am saying. Having come to the conclusion that it was a mistaken course, I certainly would not attempt to shelter myself behind any evasion. . . .

"In order that the House may understand the position let us go back. On August 7th, I think it was, this House adjourned for the Recess. At that time it was announced by the Master of Elibank, with the authority of the Prime Minister, that a Select Committee, to inquire into the circumstances of the negotiations in connection with the Marconi Company would be appointed if it was desired. . . . During the Recess, as the House will remember, a series of articles containing the greatest calumnies and the most serious insinuations and suggestions against Ministers appeared. Rumours undoubtedly were current. I do not know whether they were current in the Lobbies or not—because very often the person about whom rumours are current is the last to hear of them; but I did know at the end of July or the beginning of August attacks were being made. I did know, as my colleagues did, it was being stated that we had purchased English Marconi Shares. There was no doubt whatever as to the meaning: that we had purchased English Marconi Shares before the acceptance of the tender on March 7th, taking advantage of the rise consequent upon the announcement of the acceptance of that tender

to make huge profits. That was the accusation. The further accusation was that I had used my influence, whatever it may be, in the Government to obtain a very valuable contract for the British Marconi Company, of which my brother happened to be managing director. . . .

"When we met again, on October 11th, the Government had itself determined it would appoint a Select Committee to inquire into these very circumstances. Therefore, so far from attempting to conceal what had happened, the Government had put down a motion which was to be moved on that Friday, October 11th, by the Postmaster-General for the appointment of this very Committee to make this very inquiry, in which these facts have been disclosed. It was upon that motion that the references have been made which have been quoted. Let me just remind the House of one thing further. During that debate, certainly during the early part of it, the discussion was all with reference to the contract. In the later part of the afternoon some reference was made to me in my absence. I had been sitting in the House during the whole time waiting for an opportunity to present itself of dealing with these charges. Whilst I was absent, a reference was made to me. I came into the House and then at the earliest moment I rose. I formulated to the House four charges which I gathered from the various articles that had been circulated during the Recess. . . .

"I did not intend then to go into the matter of the American transactions, because in my view, it had no direct relevance to the charges which had

been made. I do not mean by that it was not necessary to state it to the Select Committee. That is totally different; but it had no direct relevance to any one of the four charges with which we were dealing. We were appointing that very Committee. If we had been discussing a motion for ratification, and if we had allowed the contract to be ratified on the statements which were then made on that date without saying anything about the American transaction, then I could understand the serious complaint of members of this House. But, as all that we were discussing then was whether or not a Select Committee was to be appointed to make an inquiry, it did seem to me—I do not shrink from it at all—that what I had to deal with, and what I was entitled to deal with, were the charges which were the very specific and very grave charges which had been made, and that I was entitled to wait for the period, which at that time everybody thought would be a very short period, to state all the facts before the Select Committee with reference to the American transaction. Did anyone at that date, on October 11th, ever imagine that weeks would elapse before Ministers would be called to give their evidence? Certainly I am sure that nobody imagined that many months would elapse before that took place. There was no question about our presenting ourselves to the Select Committee for examination. . . . On October 11th it was abundantly clear that there could be no other possible course than that Ministers should present themselves for examination and cross-examination by the Select Committee. . . . The

moment you have got that fact, I submit, any question of intentional concealment in the sense of deceiving the House absolutely disappears. . . .

"If I pause for one moment to deal with some observations which were made with reference to *Le Matin* case, it shall only be for the moment. I cannot let them pass, because nobody else is in such a position as I am to deal with them. I only want to say that the attitude I adopted was having at last and after many months found a person who made a specific statement which could be challenged in a Court of Law, who stated a fact with regard to a *particular Minister* so that it could be brought before the Bar of Justice, where I should have the opportunity of going into the witness-box with my right hon. friend the Postmaster-General, who was attacked with me—that the moment that occurred we took the opportunity—the first opportunity—of stating the fact in regard to the American Shares. . . .

"Let me now proceed to deal with the purchase of the American Shares, which I shall do quite briefly. I am able to do that in view of the opinion of all the members of the Select Committee—they all agree upon this, that whatever may be said with reference to the transaction, or to the wisdom or the judgment of those who entered into the transaction, no suggestion is made that they acted in any way dishonestly or in bad faith. . . .

"I never had any interest of any kind, direct or indirect, in any Marconi company or any wireless telegraphy enterprise before the purchase of the American Shares. On April 9th, when the offer

was made to me by my brother Godfrey, the managing director, I knew nothing whatever about the American Company; I had never even heard of it. On that date he sent for my other brother and me, and I think it is not unimportant to mention that my brother Harry had nothing whatever to do either with the Government or the Marconi Company. The only object of sending for him was because he was a brother, and the only object of sending for me was because I was a brother. I think that the noble lord (Helmsley) has not done justice to my brother when he says at the end of one paragraph (of the minority report) in the absence of any evidence to that effect that it is not quite certain that my brother Godfrey, when he made the offer to me of shares on April 9th, was not actuated by some motives other than fraternal affection.

"My brother is not represented in this House, and has no opportunity of dealing with this matter, and therefore I take this opportunity of stating my view with regard to it. He offered me the shares at the same price as they were offered to everybody else. He had half a million shares to deal with, and he had dealt with 400,000 and had another 100,000 to place. There was no favour or advantage of any description offered to me on that date. Other persons who had the shares, some in New York, bankers, stockbrokers and stock-jobbers, had bought these shares at the very same price at which they were offered to me, and at which they were subsequently placed with other persons after I refused them.

"It is an absolute error to suggest that in the offer he made to me he was conferring any favour or advantage upon me; but I declined to purchase the shares. It is very difficult to say, of course, at a date long after, what actually affected your mind at the time. I have stated a reason, certainly one which most materially helped me to a conclusion, which was that I had an instinct that it was better not, that it was better that I should not have any dealing with this company or with my brother, who was the managing director.

"Now let me tell the House what I know of his relations to the Government at that time. I am not going to discuss minor points of law with the hon. and learned gentleman or with anybody else. The last thing in the world that I should desire to do in a matter of this kind is to deal with a question of this character in a legal fashion. I neither want to secure the judgment of my fellow-members in this House by any legal technicality nor do I think the hon. and learned gentleman would desire to charge me under that head. Therefore I am only dealing with the broad aspects. As I understand it, on March 7th there had been an acceptance of the tender, and I say to this House if any man had been asked on March 7th whether he thought a business agreement had been come to, when the announcement was made that the tender in very extended terms had been accepted, would he have had any doubt that a business agreement had been concluded, although the legal document might still have to be drawn up? It is the view I took and

the view a great many persons took for what it is worth. . . .

"At that time I never heard the faintest murmur against the Marconi Company or Mr. Marconi. All I ever heard was that this was a great enterprise, that Mr. Marconi was an inventor who had done great services for the world at large, that he really was the representative of wireless telegraphy. . . .

"At that time no question was raised, and no suggestion had been made, that this contract should not be ratified. I do not mean by that, that ratification was a mere matter of form, but I am at least justified in saying that my mind naturally was not directed to what would take place in Parliament with reference to it, nor did I imagine there could be any vote upon the contract. I treated it as I think all members would have, that it only required ratification because it related to the conveyance of mails and telegraphic communication and so came under the words of our Standing Order. . . . I think I did know it required to be ratified, not because I had any great knowledge that there was a Standing Order, but I think I read it at some period when the contract and the acceptance of the tender was announced. That was what I knew at that stage. I satisfied myself by inquiry and was told that the American Company was in no way interested in the contract with the British Government, that it did not make a halfpenny difference to the American Company whether there was or was not a contract with the British Government, that the American Company was not interested in

the profits, or the dividends that might be derived from profit, of the English Company.

" These were the salient facts to which I directed my mind. I was told by a gentleman in the best position to know what the state of things was, and of course I accepted the statement he made. It might be that if I had been dealing with a perfect stranger, or one whom I had reason to suspect, I would not have accepted the statement he made, and I should have gone further into the matter and made further inquiries. I was dealing with my brother whose only object could be to tell me the plain and simple truth. There is no greater danger than for hon. members to strive to arrive at a conclusion upon this matter by looking at the facts which have been ascertained so long since and after many, many months of inquiry, and to strive to impute either to me or to my right hon. friend the Chancellor of the Exchequer information which nobody had until a very late date in the inquiry.

" All I ask of the House, and I know I do not ask in vain, is that the House should judge fairly and impartially, and in order to arrive at a fair and impartial judgment, it must look to the facts as known to me at the material date. That being the state of the case, on the 17th, as I stated, I bought the ten thousand shares. I bought them at the price stated to me as the market price. I bought them from a person who had the same knowledge as I had, who sold them to me at the price which he said was the right price, as between a willing seller and a willing buyer. I did not fix the price, and I knew nothing except what he told

me. The hon. and learned gentleman says that when I bought those shares I was accepting valuable consideration—that I was accepting a favour from my brother Godfrey. How can that be made out? I did not buy the shares from my brother Godfrey on the 9th; I bought them eight days afterwards in a totally different state of the market from one who had no connection at all with the Marconi Company and who had no connection whatever with the Government.

"What I ask the House to accept is that I was receiving no favour from my brother Godfrey, that I had accepted no favour, that the offer he made me I refused, and therefore from that moment all relations between him and me came to an end. Let me add one word further. The offer was never made by him to me as a Government contractor. It was made by him as a brother to me and to my other brother. Would the rule as stated by the hon. and learned gentleman and by the noble lord apply to my brother, who chose, for example, on my silver-wedding day, to send me a present on which he may have spent a couple of hundred pounds? It would apply to a Government contractor in the ordinary way. That makes all the difference. If you are examining whether there is a favour or a consideration you cannot leave out the fraternal relations. Moreover, the offer was never made to me as a Minister. It was made to me out of fraternal affection as a brother; it certainly was not made to me as a member of the Government. . . .

"Let me state the rule which I think is the one which I have been most in danger of breaking

in reference to this matter. . . . I certainly would say first—not by any means intending that the rules are exhaustive—' No Minister should use any information which he obtains as a Minister, for the purpose of making private profit or of furthering his private interests. A Minister should be guided solely by the public interests and should not use his influence as a Minister to obtain a contract for a relative or a friend with a Government department.' Both of these rules I was charged with breaking in the articles which have been referred to. The third rule is one which it is more difficult to put into precise language. ' A Minister should never be concerned in his administrative capacity either with a contract or with negotiations for a contract in which he has any financial interest, at least without a full disclosure of such financial interest.' I do not dwell further upon that, because I think it is immaterial to this debate. I also put forward this rule, which I think is closest to this case. ' A Minister should not place himself in a position which might reasonably expose him, in the opinion of fair-minded men, to the suspicion of corruption, even though his own conscience is clear that in taking that position he is acting honestly and without a corrupt motive.'

" I have formulated that rule as the highest test which a Minister could impose upon himself. In my view no one can protect himself against the suspicions of prejudiced persons. No one can guard against the suspicions of the evilly disposed. The precaution which I think has to be taken is against exposing oneself to the reasonable suspicion of a

fair-minded man. It never occurred to me during the whole course of these transactions that any human being could suspect me of corruption because I had purchased American Marconi Shares some six weeks after the announcement had been made of the acceptance of the tender of the Marconi Company by the British Government. It never crossed my mind that any one would ever think of that. If the House requires any proof—I do not for a moment think it will—I would point to the fact that in the transactions which I and my hon. friend had, we acted perfectly openly, without the faintest attempt at concealment, in such a way that, at any rate, a number of clerks and brokers must have become aware of the fact that we had engaged in these transactions, and whatever may be said with regard to my right hon. friend, the Chancellor of the Exchequer, at least no one will suggest that from my experience I was not aware of the possibilities of dealing in the name of nominees. I never have dealt in the name of a nominee, for the simple reason in my view, as applicable to myself, if I could not do a transaction in my own name, I would not do it. In such a transaction as I have described, there could have been by no possibility any conflict of interests in me as a purchaser of these American Shares, and in my public duty to the country as a member of the Government. The moment you get the facts, that according to the representations to me and to my belief I thought this was an independent company, the sole connection, if you can call it a connection, being that its own operations were limited to the territory of

the United States, but in the working of the inventions of Mr. Marconi, I say I cannot understand how it can be suggested or thought that this transaction lent itself to suspicion.

"The Chancellor of the Exchequer and the Master of Elibank only knew what I told them, and what applies to me certainly applies with greater force to them, and any defence which I have put forward of my actions, is a defence which certainly is a stronger defence for them. Let me tell the House that although I thought those transactions quite unobjectionable, I thought they were correct, and that there could be no question raised with regard to them. I say now that if I had had all the facts present to my mind at the time I entered into those transactions, if I had known then all that I know now, if all had been disclosed to me that subsequent events have revealed, if I had realized that men could be so suspicious of any action of mine, if I had thought that such misrepresentation could possibly exist, I state quite plainly that I would not have entered into the transaction. I need scarcely tell the House that I have given the matter very careful consideration before I made this statement, and I say solemnly and sincerely that in what I have stated, I think in plain terms, I agree and will put it in language which, at any rate, is not too kindly to myself, that it was a mistake to purchase those shares. The mistake arose from the fact that, as I say, it never occurred to me that I could be suspected or that there were any of the subsequent events to take place which did occur. . . .

"I should not stand at this table speaking as a

Minister, making the statement which you have just heard from me, if that statement was not in my own deliberate judgment, and in my own innermost conscience a full, fair, and frank statement of my feelings and opinions with regard to the whole matter in controversy."

The debate ultimately ended, in the words of *The Times* leader writer, in the House of Commons, as a united Chamber on a solemn occasion, making shipwreck on the rock of party. The House adopted by 346 votes to 268, an amendment to Mr. Cave's motion, accepting the expressions of regret made by the Chancellor of the Exchequer (who had followed Sir Rufus with a more passionate and far less sincere speech) and the Attorney-General that purchases of American Marconi Shares were made and were not mentioned in the debate of October 11th, acquitting them of acting otherwise than in good faith, and reprobating the charges of corruption which had proved to be false. Such was the verdict of the House. That of the country is aptly summed up by a leader in *The Times*, which appeared the day after Sir Rufus had made his statement.

"We are bound to point out that neither Minister seems to understand how their conduct strikes the public. It may be put by way of a metaphor. A man is not blamed for being splashed with mud. He is commiserated. But if he has stepped into a puddle which he might easily have avoided, we say that it is his own fault. If he protests that he did not know that it was a puddle, we say that he ought to know better, but if he says that after all it was quite a clean puddle, then we judge him deficient in the sense of cleanliness. . . .

"The public look at the facts, and what they feel is that men occupying those positions ought not to have made those

mistakes, and walked into those puddles. If they are so innocent and careless as not to know a puddle when they see one, then they ought not to occupy those extremely responsible positions. And similarly with regard to the line of action in the House of Commons last October. No man knows better than the Attorney-General what a *suppressio veri* is, and that it is extremely likely, if not certain, to mislead, however good the intention may be of a man who practises it. In our opinion, a frank acknowledgment of the mistake, with the procedure known as throwing yourself on the mercy of the Court, would have made a better impression on the public, whatever the House of Commons may think about it."

In these words *The Times* expressed the point of view of moderate Unionism. It was a misfortune for Sir Rufus that the intrinsic rights and wrongs of the case were, from the first, overshadowed by political considerations, and by the fact that his name had been coupled with that of Mr. Lloyd George. The Chancellor of the Exchequer was at the very height of his campaign against the upper and middle classes, and he had carried on this campaign with a wealth of invective which had made for him many bitter enemies. It was only human nature that there were some among the number of these which might serve as a rod with which to belabour him, and inevitably the punishment aimed at Mr. Lloyd George fell on Sir Rufus as well. Despite the latter's exceedingly frank statement in the House, quoted above, despite the fact that all parties were agreed that the charges of corruption had been utterly unfounded, the injudicious attitude of the Liberal Party with its fatal suggestion of whitewash, had done its work, and a large section of the public continued to believe

that in some incomprehensible way, the whole truth had been concealed from it.

The Liberal attitude after the event was not characterized by any greater wisdom. The official rejoicings of the party, as evinced by banquets at the National Liberal Club, and elsewhere, took the form of exaggeratedly expressed delight that the Ministers had been cleared from the calumnies heaped upon them by envious antagonists, and were now enabled to resume the Liberal campaign which was to herald the millennium. It was perhaps the fault of the fiercely-contested legislation of the past few years that political opponents were so apt to regard one another as personal enemies; but it is a fact that Liberals, as a whole, in their public utterances, chose to disregard utterly the statements of Sir Rufus himself, and to profess to regard the whole incident as a Unionist conspiracy, which the Select Committee, or rather, the majority report of that body, had triumphantly exposed. The Liberal Press, wiser than the thoughtless demagogues of the party, and probably conscious of the cruel injustice which their attitude did to the reputation for honesty and good sense of those whom they regarded as victims, maintained a far more judicious reserve.

What might have been the eventual effect upon Sir Rufus' political career of this incident can only be conjectured. Four months after his memorable speech in the House, he was removed from the arena of politics, by his appointment as Lord Chief Justice, an office usually considered as the reward of the successful barrister, rather than the rising

politician. The appointment, coming as it did so soon after the storm produced by the Marconi affair, was subject to a certain amount of criticism. But this criticism was directed rather at the Government than at the individual. To quote again a leading article which appeared in *The Times* on the occasion of the announcement:

"Public opinion, indeed, had destined for him the place so long—and we recommend this practical consideration to those who cavil at the appointment—that his exclusion from it after all that has happened, would have been such an admission of collective guilt as no Government could be expected to make if it intended to remain in office. For our own part, we trust and believe that his career on the Bench, when it comes to be reckoned up, will be no less distinguished than his astonishing career at the Bar. Meanwhile, it can only be regarded as a great misfortune that an absorbing controversy should have brought hesitation and discord into what would otherwise have been a unanimous chorus of approval."

That the majority of the public approved of the appointment there can be no doubt. Sir Rufus was far better known as an advocate than as a politician, and it seemed more natural that he should rise by way of the Bench than as a Minister with portfolio. In the House of Commons it must be confessed that his talents had to a great extent been wasted. The House contains an atmosphere very different from that of a Court of Justice, and the qualities of oratory required to produce an effect there differ from those which appeal to a jury. In the House, Sir Rufus had never been a popular speaker, in the sense that his rising was the signal for a flow of members into the House. Sir Rufus never lacked imagination, but his instinct and training was such

that he never allowed it full play in his public utterances. Throughout his Parliamentary career he had retained the manner of an advocate, and although his speeches were invariably sound and to the point, they lacked just that indefinable touch which makes a man a great Parliamentary speaker.

Nor was his position in the Government one that brought him prominently before the public. The duties of a Law Officer of the Crown are not spectacular, and Sir Rufus was not a man who ever sought publicity. He worked rather in the background throughout the period which elapsed between his appointment as Solicitor-General and his final retirement from politics upon his elevation to the office of Lord Chief Justice. Although his abilities had been recognized by his being given a place in the Cabinet, and by his being made a Privy Councillor, the services which he rendered in these capacities were legal rather than political. The part he played in the Government was one for which his talents were admirably suited. From 1910 to 1913 the most vital constitutional questions were under revision. The Parliament Act, and the circumstances with which it was surrounded, demanded the keenest intellects for their proper comprehension, and for the solution of the problems which they raised. Sir Rufus possessed this intellect, clear, logical, and direct, and it was in the exercise of this intellect for the benefit of his colleagues that he found the most extensive field for his activities.

His most striking public appearance as Attorney-General was in the Seddon poisoning case, which

was tried in March, 1912. This case aroused considerable interest at the time, and a certain amount of controversy over the attitude of the Crown as prosecutor. The facts were briefly as follows: A maiden lady of somewhat eccentric tastes lodged with Frederick Henry Seddon and his wife in North London. This lady, Miss Eliza Mary Barrow, possessed a certain amount of property, and was in the habit of keeping a large sum of money in notes in a cash-box in her bedroom. After being ill for a short period, she died and was duly buried. Owing to certain suspicious circumstances being discovered, her body was exhumed, when it was found that the cause of death had been arsenical poisoning.

A warrant was issued for the arrest of Seddon and his wife, and the case was tried at the Old Bailey. Sir Rufus appeared in person as counsel for the prosecution, a circumstance which was commented upon both by counsel for the defence and by the public. The former, addressing the jury, pointed out that the appearance of the Attorney-General was a proof that the Crown was so doubtful of their case that they thought it necessary to employ the highest talent available in order to prove it. The public in its turn considered that his appearance showed an undue tendency to press the case against the accused. Sir Rufus, however, declared that in a case of this kind, it was the invariable custom of the Attorney-General so to appear.

Sir Rufus had very little difficulty in proving his facts, that the Seddons stood to benefit very greatly by Miss Barrow's death, and that they had

caused fly-papers to be purchased which contained a large proportion of arsenic. Banknotes from Miss Barrow's hoard were proved to have been cashed by the Seddons, and she had made over her property to them in return for an annuity. There was, however, no direct evidence that either of the Seddons had administered the poison.

In his conduct of the case Sir Rufus was eminently fair, a fact to which attention was drawn by the Judge in his summing up. He was careful always to explain the questions he asked in the course of his cross-examination, and his whole procedure was a model of the correct attitude of counsel prosecuting in a case of murder. The evidence, as he himself pointed out, was wholly circumstantial, and it was this fact that lay at the root of much of the public sympathy felt for the accused. In this the case was unusual, and it raised the question how far the prosecution is entitled to press for a capital sentence where no direct evidence is forthcoming. Seddon was found guilty, and his wife was acquitted; there was some agitation for a reprieve, but this was not granted, and Seddon was hanged.

It was only from an acute sense of duty that Sir Rufus had undertaken the rôle of prosecuting counsel in this case. He felt that it was the duty of the Crown to bring the facts out as clearly as possible before the jury, while at the same time dealing as fairly as possible with the accused. The best way of ensuring this was to undertake the prosecution himself. He knew that the responsibility was his, as principal Law Officer of the Crown, and he preferred to incur any odium which might attach to the

prosecution in a case where only circumstantial evidence could be adduced, rather than to transfer his responsibility on to other shoulders. He is said to have declared at the conclusion of the trial, that he would never again undertake the prosecution in a trial for murder.

It is impossible to estimate the work of Lord Reading as Lord Chief Justice. He had not been on the Bench a year when war broke out. His first case, heard on the afternoon when Lord Haldane, Gordon Hewart, Sir Edward Clarke, and "F. E." had vied in the generosity of their tribute to his abilities and his personality, was a case after his own heart, a big Stock Exchange action, in which he delivered judgment with an acumen and a zest unusual in such dull proceedings. But he did not at first find the same enjoyment on the Bench as he found in pleading before it. He had unpleasant duties to perform, civil cases in which he found himself constrained to explain, with an almost painful patience and elaboration of detail, points which he would have made forensically with much greater ease and dash. He was out of touch with his friends in politics, and though he fought hard to keep the same human contacts with young and old at the Bar, to be the same cheery, friendly, companionable "Rufus" he had always been, his position made it difficult. It may well be that the impatience with himself which was so characteristic of the man who was so patient with others, might have lead to an early resignation had not the outbreak of war intervened.

But in this high office, Lord Reading fully acted

up to the reputation which he made for himself at the Bar. He had not achieved his position by the mere gift of rhetoric, nor had he ever striven to cover up by his eloquence an insufficient study of his case. Not that he was in any way careless of the form in which his pleadings were couched, but he never sacrificed clarity to impassioned figures of speech. It might be said that his success was due to his brain rather than to his tongue, that the gifts with which he was naturally endowed, his extraordinarily quick grasp of facts, and his facility for elucidating the truth in cross-examination, had contributed more powerfully to the esteem in which he was held by all than had any exhibition of artificial eloquence. As Lord Chief Justice, it was his humanity and fairness which were most conspicuous. Of all the trials over which he presided in that capacity, that of Casement is the most noteworthy. The details of the Casement affair are too well known to require repetition. The arrest of the Irish traitor caused an outburst of popular feeling unprecedented even during the war. It was felt that trial of any kind was too good for him, and the slightest indication of allowing him the ordinary rights of a criminal was greeted with denunciations of the " hidden hand " which was supposed mysteriously to protect all those who had designs against the popular conception of how the country should be governed in war time.

Yet, in face of this loudly expressed attitude, the Lord Chief Justice gave the world the example of an utterly unbiased judge. Casement was treated with every indulgence, and was allowed every

facility for preparing his own defence. His counsel were granted every opportunity and were allowed the utmost freedom in stating their case. The Casement Trial formed a good instance of the impartiality of British justice in the conduct of a political trial, at a time when the whole opinion of the country was unanimous in the condemnation of the accused. And the representative of that justice was Lord Reading.

CHAPTER VII

The War

UNDER normal circumstances Lord Reading would no doubt have continued to exercise his judicial functions for a long term of years following his appointment of Lord Chief Justice. But the outbreak of war, only nine months after this event, produced its disturbing effect upon him as upon lesser men, and caused him to enter once more upon a new field of activity—that of statesmanship.

The career of Lord Reading had up till now been one of startling variety. His youth had displayed his adventurous spirit, impatient of restraint, striving in successive directions for the assertion of his personality. His upbringing and his racial tendencies impelled him to seek first for his life's work in business and in finance. That he had not achieved success in these directions had been due to no lack of ability, but to his realization of the fact that they did not afford him sufficient scope for the exercise of his peculiar talents. He had been a square peg in a round hole, a man unable to bring the weight of his intellect to bear upon the problems which confronted him, because these in their turn had not sufficient appeal to call forth the full exercise of his powers.

He turned to the Bar less because he saw in that career any promise of success, than because the profession of advocacy appealed to his imagination. No man knows the full extent of the powers that are in him, but most men believe that they know the direction in which they will feel incited to work their hardest. As he subsequently confessed upon more than one occasion, Lord Reading adopted his new profession without any great confidence that he would be able to achieve success at the practice of it. But at least he felt that he could satisfy his own longings . . . and his innate honesty, as just to himself as to others, determined him to devote himself to a legal calling.

His entry into politics is less easily explicable. That he ever regarded a political career as an alternative to the law is unlikely. He probably felt that, meteoric as had been his rise to fame in his chosen profession, he could never attain the highest rewards as a private individual. Many men in his position, accustomed to throwing themselves heart and soul into any case to which they accepted briefs, and lacking Lord Reading's deep convictions, have attached themselves to the party in power, and have adapted their political creed to the behests of that party. But Lord Reading was a convinced Liberal, at a time when Liberalism seemed to promise very little scope for the politician. In 1900, when he first made his appearance as Liberal candidate for North Kensington, the Liberal Party was disunited and lacked any constructive policy. He was defeated by his Unionist opponent, and his party found itself in a minority. It was not until another

four years had elapsed that he achieved a seat in Parliament.

In his Parliamentary career he never achieved the same brilliance of fame as he had found as an advocate. In the eyes of the public, the name of Rufus Isaacs was always associated with the Bar rather than with the House of Commons. It was only to the leaders of his party, and perhaps in a lesser degree to his constituents, that the true value of his services was known. From the General Election of 1906 onwards he acted in the capacity of an unofficial adviser to the Government in all the high constitutional problems with which they were faced, a fact which found recognition in his appointment as Solicitor-General upon the first available opportunity. But even this was not sufficient reward for the silent support which he had so freely given, nor did it afford enough scope for the exercise of his indispensable powers. It was only as principal Law Officer of the Crown that he could render the services which the leaders of the Government so fully appreciated, and to the post of Attorney-General he was raised within a few months of his attaining the rank of Solicitor-General.

In this capacity he was distinguished by honours hitherto unprecedented. He was the first occupant of this office to become a Cabinet Minister, in which rôle he was able to give his decision in all the matters upon which the Government, as representing the country, were called upon to adjudicate. The Liberal Government at this time were engaged in legislation which affected the very foundations of the Constitution, and they were forced to depend

for their majority in the House of Commons upon allies whose support was by no means an assured factor. It required the skill of the best brains at their disposal to direct their policy from day to day, and in this arduous duty the Attorney-General played a prominent part. The discussions of the Cabinet are held behind closed doors, and the opinions and advice of its individual members are jealously merged in the declared decision of the whole body. Had this not been so, had the true influence of Sir Rufus Isaacs upon the actions of the Government been revealed, he would have achieved as high a position in popular estimation as a politician as he had as an advocate.

His appointment to the high office of Lord Chief Justice had long been anticipated, rather in recognition of his legal abilities than as the reward of a Cabinet Minister. In this capacity he was removed from the sphere of politics, and it might have been supposed that his appointment marked the termination of his political career. In the exercise of his judicial functions Lord Reading might have been expected to find the highest field for the application of his talents and his experience. Indeed, during the short time which he was enabled to devote to the duties of his new post he exhibited all the high qualities which tradition and happy experience has led the world to expect in a British judge. But to these high qualities his own personality added other attributes. His administration of justice was characterized by a determination to maintain a meticulous standard of fairness. The Court of Criminal Appeal, which had been established by

the Government of which he was a member, occupied his most earnest consideration, and his efforts were devoted to making it an efficient safeguard against the possibility of any injustice being done to those accused of crime. In this he was highly successful, and this Court owes much to the precedents which he laid down.

The outbreak of war threw down the artificial barriers of party, and men of all positions and all shades of political opinion placed their services at the disposal of their country. At such a crisis it was inevitable that the Government should turn once more to the man by whose wisdom they had so often profited. The very vicissitudes of Lord Reading's early career gave him advantages which were particularly valuable at such a time. Although he turned his back upon his early connections in the City, he had never abandoned them. Throughout his legal career he had been associated with the leading financial and commercial cases of the period, and his knowledge of the complicated ramifications of the financial system was unrivalled. The financing of a great war was a problem beyond the experience of the existing generation, and was perhaps the most urgent problem which the Government was called upon to solve. It was Lord Reading who pointed out that the moratorium was not only necessary and inevitable, but also simple and safe. And if it was Alfred Harmsworth's genius to put heart into a nation with a single phrase, it was Rufus Isaacs who made it possible for "business as usual" to become the diligent slogan of those who had to stay at home. His advice, quickly placed at their

disposal, was immediately utilized, and the curious spectacle was witnessed of the Lord Chief Justice occupying a seat upon a Committee whose duty it was to deal with the intricate problem of high finance.

The proceedings of this Committee were necessarily wrapped in the strictest secrecy. The public only learnt of the measures upon which it had decided when these were actually put into operation. Again the veil was drawn over the personality of Lord Reading, and his efforts were only revealed from time to time and in the most furtive glimpses. It is an open question whether his greatest services to his country were rendered during the war period or subsequently during his tenure of office as Viceroy of India. Yet of the former very little appeared. The men whose efforts contributed most to the successful issue of the war were not those who achieved most prominence in the eyes of the public. Their labours were conducted behind closed doors, and their reward must lie in the appreciation of posterity.

During the early weeks of the war, the financial direction of the country was faced with two great problems, the reorganization of the system of credit, which had been completely demolished by the downfall of international relations, and the financing of the extensive schemes for the provision of men and materials for the continuance of the struggle. In August, 1914, and for some considerable time subsequently, it was believed, both among the Allies and the Central Powers, that a war upon such a scale could not be of long duration, that it must

shortly expire through sheer financial exhaustion. It had long been regarded almost as an axiom, even by experts in political science, that no country in the world could support the burden of a European war for more than a few months. The tendency was therefore to make arrangements which would tide over this period, rather than to look further ahead and take such drastic measures as would in effect place the country in a state of siege which might endure for a period of years.

It is manifest that no Government, even in a time of national emergency, when it enjoys the support of all parties, can take administrative measures very far in advance of the popular conviction of necessity. The slow and tentative steps which were taken, for instance, towards the introduction of a rationing scheme, form a striking instance of this fact. The universal belief that the war must terminate at an early date through the collapse, financial and material, of the Central Powers, made it very difficult for the Allied Governments to demand sacrifices from their peoples which would extend over a lengthy period. At the same time, in their anxiety to sustain public morale and to foster a spirit of optimism, those Governments themselves felt bound to encourage the popular belief. They preached the war of attrition in order to cover the failure of their arms to achieve an immediate and decisive victory, and by the pernicious slogan of "Business as usual" they led the people to believe that the war could be terminated without the straining of every nerve and the concentration of every faculty upon the achievement of victory.

Even as late as eighteen months after the outbreak of war the desperate nature of the struggle in which the country was engaged was scarcely realized. It was still considered a sign of pessimism to declare, publicly or privately, that the dawn was not yet. Responsible leaders of public opinion still continued to assure their hearers that the end was in sight, and that the sacrifices already made need only continue for a short while longer in order to bring the enemies of the country to their knees. A very few ventured to warn the public of what was yet to come ; perhaps very few had the necessary vision to understand the immensity of the struggle. Of these Lord Reading was one. His wide experience of the resources of modern finance, his knowledge of the stubborn determination which is a characteristic of the Teutonic character, permitted him to estimate the power of endurance possessed by the enemy. He had been to the United States, and in the more impartial atmosphere of a neutral but friendly country he had had opportunities of observing the progress of the war from a standpoint denied to those who remained within the circle of the Allied countries where, of course, a purely partisan spirit obtained. He knew that the neutral world was at this time by no means so sincerely convinced of the ultimate victory of the Allies as were the Allies themselves, and he found it incumbent upon him, not only to warn his colleagues in the gravest terms, but to make some public utterance which should counter the mischievous and prevailing spirit of careless optimism.

On the occasion of a speech at Reading he ex-

pressed his opinion in no uncertain terms. "I think that the man who believes that we are at the end of the sacrifices to be made in this war is living in a fool's paradise," he said. "I believe that we shall have to go through more than we have hitherto had to suffer before we emerge in safety and see victory assured." He was right, as events proved. Two years and more had yet to elapse before the end came in sight, years in which his hearers were exposed to greater privations than they had yet imagined, when at times it seemed the victory so long expected would be deferred until the life-blood of the country had been drained dry. And years in which his own statesmanship, tact, and knowledge of affairs would be put to the highest test.

Lord Reading's first task in the new rôle which the war had imposed upon him was to build up some system of national finance upon the ruins of the international catastrophe. In the face of a collapse upon such a scale the vast system of credit upon which England so largely depended, threatened to break under the strain, and by so doing involve the country in financial and economic ruin. His advice upon the Committee was instrumental in securing the framing of the measures which were taken at the time to avert the more serious consequences to the banks and financial houses of the declaration of war. He was also responsible for the granting of the guarantee of the Government to the great accepting houses to the extent of many hundreds of million pounds. This very bold measure, which met with considerable criticism at the time, was essential in order to finance the enormous

purchases of food and munitions from overseas. Unless the Government had thus stepped into the breach, there would have been grave risk of a sudden shortage of food supplies in the great cities, and of the disastrous consequences which such a shortage would have entailed. In spite of the enormous sums involved, the scheme put forward by Lord Reading was so carefully worked out, and was founded upon so intimate and exact a knowledge of financial practice and the economic laws which govern it, that in the end the Government lost nothing by the transaction.

There was another side to Lord Reading's activities at the beginning of the war, in which his rôle, though far more thankless, was at least as valuable. The Cabinet, united as it was upon the resolve to conduct the war with the whole power of the country, found as time went on that its members were not always agreed upon the best methods by which this aim could be achieved. These differences of opinion, at first sight, led by degrees to a situation which threatened to imperil the very existence of the Cabinet, and thus to introduce a divergence of principle and a discontinuity of policy which would have seriously hampered the conduct of the war. At this juncture the moderating influence of Lord Reading, and his extraordinary tact and good judgment were invaluable. His position, his popularity, and the respect with which his opinions were universally received, gave him an unrivalled position as a peacemaker, and he was enabled to compose differences which threatened to develop into open rupture. As a late member of the Government he

knew the views and opinions of each member of the Cabinet, and could forecast the arguments likely to have most weight with them. On the other hand, since he no longer held a Ministerial post, he could assume an impartial and detached view, and exert his persuasive powers without the risk of incurring the charge of personal bias.

Nor was it only as between the members of the Cabinet that his skill as an arbitrator was requisitioned. The great newspapers, although without exception they loyally observed the political truce, and gave their support, irrespective of party, to the war measures of the Government, exhibited, as time went on and it became obvious that the war was not a mere passing cloud, but a bitter struggle for existence among the nations, a certain dissatisfaction with the development of affairs. There was no question as to the general policy of the country; the organs of every shade of opinion were agreed that the war must be won and that every sacrifice must be endured which would conduce to this end. But opinions differed as to the wisdom of certain of the Cabinet's decisions, and it was found necessary that some one who enjoyed the confidence of all parties should act as a mediator between the Cabinet and the Press. There were many things which could be said to editors but which could not be printed, and the higher the authority of this source of information the greater the effect, indirect, though none the less certain, upon public opinion and the stability of the Government. No more fitting agent than Lord Reading for such delicate negotiations could have been chosen. Although the part he had

already played in the financial conduct of the war was unknown to the general public, it was realized and appreciated by the few whose business it was to guide public opinion. It was felt that he was a man to be relied upon, that any course of conduct suggested by him was certain to be based upon a clear and correct appreciation of the situation. And thus, behind the scenes, his powers of advocacy were again employed for his country's benefit.

It was not long before a wider field presented itself. As the war dragged on, it became evident that the Allies could not rely upon their internal financial resources alone to bring it to a conclusion. The war was costing more than had ever been anticipated, and every day saw the demand for munitions rising at an ever increasing rate. Money to pay for these was urgently needed, and the only means by which it could be obtained was by the flotation of a loan in America. Both France and Britain were in urgent need of such a loan, and it was obviously better for them to combine their requirements than for them to compete for separate loans in the open market. In August, 1915, a consultation was held between M. Ribot, then the French Finance Minister, and Lord Reading and the Chancellor of the Exchequer. As a result of this meeting an Anglo-French Mission, with Lord Reading as its President, was formed, and immediately set out for the United States.

The choice of Lord Reading for this delicate task was an exceedingly happy one. He was fifty-five then, but at heart he was still a boy. He entered on that adventure gaily, and emerged

from it triumphant. He charmed America as he had charmed his own countrymen. He was handicapped with none of the stiffness and self-conscious superiority which might have been shown, from sheer nervousness, by the ordinary Englishman, whom America was prepared to receive and criticize. He triumphed, came back to the Bench, and ere long, as the fortunes of war swayed to and fro, was sent once more to the United States, first to consolidate the ground he had prepared, and then to enter upon the task of bringing the richest and most powerful of the neutrals into the war on the side of the Allies.

At that time America was out of sympathy with the aims of the Allies, and her relations with Great Britain were becoming somewhat strained, owing to the blockade of Germany and the restrictions imposed by the British Admiralty upon the movements of neutral shipping. On the other hand, the Allied Powers were an excellent market for American products which mainly took the form of munitions and food. This to some extent counteracted the irritation felt in America with British naval methods. But, on the whole, the sympathy of the American public had yet to be won, and an appropriate personality was required for this purpose. The object of the Mission was to secure a loan of one hundred million pounds, to be spent in America by England and France on the purchase of munitions. The mission was successful in negotiating the loan upon favourable terms, and it was generally admitted, both in Europe and America, that this result was due almost entirely to Lord Reading's able and tactful

presentation of the Allied case, and to his great financial ability. In the words of *The Times* leader writer,

> "not only did Lord Reading's thorough familiarity with our financial problems stand him in good stead on that occasion with the American bankers, but the strength of the personal impression made by him on the men of business with whom he came in contact, and through them on the American public, was the subject of emphatic comment in all circles."

The true value of Lord Reading's services were known only to the select few, but that they were appreciated at their true worth was made evident to the public by the honours which a grateful country saw fit to bestow upon him. He was invested with the Grand Cross of the Order of the Bath in February, 1915, in recognition of his services in connection with the organization of the financial measures rendered necessary by the war. In the course of the year following his return from his first mission to America he was made a Viscount, in recognition not only of his success in the raising of the loan, but of his unceasing efforts at home, where he remained as a financial adviser to the Government while continuing his duties in the Courts. His abilities were frequently employed in the delicate and involved negotiations which took place from time to time between the Allies upon financial and other subjects, in which it soon became clear that he was the ablest negotiator which this country possessed. To personal charm he added an extraordinary gift for assimilating at once every intricate detail of the great variety of subjects confided to him. The most formidable obstacles

had a habit of melting away before the persuasive eloquence of his tongue.

The entry of America into the war in 1917 caused an entirely new orientation of the relationship hitherto existing between her and the Allies. Among other questions which became due for revision was the financial one, and the Government determined to send a special mission to America for that purpose. There could be no hesitation in their choice of an envoy. Lord Reading had, two years before, achieved a striking success in the flotation of the loan of 1915. To his powers of negotiation he added therefore the prestige of previous accomplishment. Further, to clinch the matter, the Government received a hint that no envoy whom they could choose would be more welcome at Washington. The matter was settled, and Lord Reading left England once more, with the style and dignity of High Commissioner and Special Envoy to the United States.

He came to America as *persona grata* on his second visit. In Germany they were already saying that England had found a new Disraeli in her time of trial. Heaven knows the frantic efforts that were made by von Tirpitz to ensure that at least one of those dangerous journeys should be brought to an end by a torpedo from a submarine. But Rufus Isaacs eluded the hidden death of the ocean as he had eluded so many dangers. His old qualities of human friendliness, of charm and tact, of dazzling brilliance of intellect joined with the simplicity of the plain good fellow, captured the American imagination. And when, in 1918, he was sent to be His

Majesty's Plenipotentiary at Washington, to establish in the Federal capital a little world of British interests, there were no murmurs even from his enemies. They knew that nothing they could say would find an echo in the hearts of their countrymen. The English are a shrewd people. When they have found a lucky star, they hitch their waggon to its tail.

This time there was no need for the veil of secrecy which had covered the negotiations of 1915. America had entered the war enthusiastically, and her sympathies were wholly with the Allied cause. Lord Reading's arrival in America and his enthusiastic welcome were fully reported and showed that his merits and his personal charm had made a deep impression both upon the public and the politicians of the United States. He was ably seconded by Lady Reading, who, in spite of ill-health, had cheerfully braved the dangers of the Transatlantic journey in order to assist her husband in his exacting task. On his side, Lord Reading had no hesitation in congratulating America upon her change of heart and upon the splendid effort which she was preparing to make. In a message issued to the American Press he referred to the satisfaction and relief afforded to the Allies by America's action, and forecasting a successful end to the joint efforts of America and the Allies. Then the curtain fell once more, and the negotiations on behalf of which Lord Reading had come to America began.

They were not of long duration. By the beginning of November Lord Reading had returned to England, having in addition to the primary duties performed

by him in New York, concluded an important interview with the Canadian Premier, Sir Robert Borden, and visited Canada in his company. No official announcement was made at the time as to the results of his journey, but very shortly after his return he was created Earl of Reading.

Much of the secrecy which was maintained as to his activities was due to the exigencies of war-time, but still more was owing to his own personal modesty. In spite of the restrictions imposed upon publicity during the war, many individuals contrived, in one way or another, to keep their names prominently before the public, and to let it be generally known that they were engaged upon work of a national importance, which, could they but reveal its nature, would prove them to be the saviours of their country. Lord Reading, who had worked for so many years behind the scenes, welcomed the excuse provided by the war of keeping silent, for he was indifferent of popular applause. Like most men with a gift for statesmanship and diplomacy, he thoroughly enjoyed the exercise of them. In his youth the practice of advocacy in the Courts had appealed to him as providing him with the proper field for his talents. Those talents had now become more extended and more mature. The difficult circumstances of the war offered him a larger field, and for the narrow atmosphere of the Courts he exchanged the unlimited horizon of world diplomacy. The able advocate, the tactful negotiator, had become that highest form of man's intellectual development, the statesman. And the statesman, his work for his country duly performed,

returned, as previously in 1915 he had returned, without flourish of trumpets, without the triumph of public adulation, to the calm and dispassionate exercise of his judicial functions.

That such a man should have been Lord Chief Justice during the troubled years of the war was a very fortunate circumstance. Justice is above the passions of even such a death struggle as this, and should maintain its impartial course with lofty indifference. But perhaps in England alone was this the case. In other countries justice was seen to bow before the overwhelming flood of mob law, and on several notorious occasions the victim of popular execration found it impossible to secure a fair hearing of his cause. In England this was never so. Every criminal, however heinous his crime, or however loudly popular sentiment demanded his immediate condemnation, received a fair trial, which erred, if it erred at all, upon the side of exaggerated humanity. The trial of Roger Casement, to which reference has already been made, was only the most conspicuous of a number of other similar cases.

But Lord Reading's return to the Bench in 1917 was of very short duration. The health of Sir Cecil Spring-Rice, the British ambassador in Washington, had long been known to have suffered under the strain of the years in which, as the representative of a belligerent Power, he had been compelled to justify the operations of war to a powerful and independent neutral. At the end of 1917 Sir Cecil retired, and, as when a few months earlier a distinguished man who should be *persona grata* in the United States had been sought, the choice inevitably

fell upon Lord Reading. Early in January, 1918, it was announced that he had been appointed to fill the vacant post, with a curiously extended title to suit the peculiar circumstances. The act of appointment described him as "His Majesty's High Commissioner in the United States of America in the character of Ambassador Extraordinary and Plenipotentiary on special mission."

The best means of visualizing the conditions in America during Lord Reading's ambassadorship, and of the work which he found to perform there, can be derived from his own statement, which was issued upon his return to England in the following August:

"After six months' absence in the United States I have returned for the purpose of conferring with the Prime Minister, the Foreign Secretary, and the War Cabinet on various matters of importance which can be discussed more freely and more satisfactorily by word of mouth than by cable correspondence.

"The events in America during this period have indeed been of supreme importance. They are proving a wonderful inspiration to us and our Allies, and a most discouraging surprise to the enemy, for the progress made in these few months by America is indeed marvellous. If I speak in terms of enthusiastic admiration it is because none other would convey my thoughts. During these months my Allied colleagues and I have made many requests to the United States Administration. These have always been received with the most sympathetic consideration, and there is no room for doubt even in the most sceptical mind as to the whole-hearted desire

of America to help the Allies to the best of her ability. The only question for the Administration always is, how best and when can the thing be done?

"It is no secret that when I left this country early in February the food situation in France, Italy and Great Britain was causing serious anxiety. That situation, however, has been very largely relieved by the indefatigable exertions of Mr. Hoover, cordially supported by the American people. It would be impossible to speak too highly of his efforts to provide food-stuffs for the Allies, and of the way in which he invariably responded to the joint requests of my French and Italian colleagues and myself, who have throughout acted in the closest and most intimate co-operation. There came a time early in the year when wheat could not be supplied to the Allies from the United States when the American people were willing themselves to go short. Mr. Hoover placed the facts before them. The response to the appeal for self-denial was immediate and remarkable, and enabled large shipments to be made at a time when, according to all calculations, there was no exportable surplus in America.

"In the early months of the year again, owing to the excessive cold, there were difficulties of apparently an insurmountable nature in the conveyance of food-stuffs by rail from the interior to the coast for shipment abroad. These were overcome by the energetic and courageous action of Mr. McAdoo, the Director-General of Railways, who issued orders that the transportation of food to the seaboard for the Allies should have absolute precedence over all other traffic.

" In regard to the production of new ships, which gave cause for anxiety six months ago, Mr. Hurley, with the assistance of Mr. Schwab, has made truly remarkable progress. The record of actual launchings and the number of ships placed in commission during the last two months and the prospect for the remaining months of the year, inspire complete confidence that as the result of our joint efforts of construction and of our naval forces the submarine menace will not only continue to be held in check, but is doomed to failure. We must, however, never slacken our energies, for there is ever an increasing demand for shipping in consequence of the continuous stream of American troops to France who must be fed and supplied.

" To an ever-increasing degree America has given and is giving invaluable assistance in the prosecution of the war. The dull and undramatic period of preparation has passed and has given place to the harvest of production which is now being reaped.

" In no direction, however, is the spirit of whole-hearted co-operation more striking than in the magnificent contribution which America has made and is continuing to make to the man-power of the Allies. When, in the grave anxieties of the end of March, at the request of the Prime Minister and the Cabinet, I asked the President to order without delay the acceleration of the dispatch of American troops and to allow them to be trained and used with the French and British troops, his answer was an immediate and whole-hearted assent, his only limitation as to the number of men being the shipping capacity to carry them. It was an historic moment,

which may in the future be regarded as the turning-point of the war. Both the British and the French nations were quick to appreciate the generous spirit of this contribution, made so promptly and at so opportune a moment. It has proved of such value that Marshal Foch has been able to meet the German attack by an Allied counter-offensive, and has not only wrested the initiative from the enemy, but has gained important victories. . . .

"I wish I could adequately convey to the British people the warm-hearted generosity of my reception as British Ambassador by the American people. It is given to me as British representative, and is an expression of the admiration of the Americans for the part played by the British people in this war. Prejudices are giving way to the better understanding of the ideals animating both the American and the British people, ideals that carry them along the same road, in the same direction, in whole-souled co-operation for the progress of humanity and the peace of the world."

As Lord Reading hints in his statement, his term of office as Ambassador saw the most critical stage in the whole progress of the war. The collapse of Russia had enabled Germany to concentrate her whole effort upon the Western front, and the series of offensives undertaken by Ludendorff from March onwards only just failed of their object, which was the separation of the British and French forces. Criticism in America, as well as to some extent in Europe, blamed the Allied Command for their strategy. It was said, and with considerable truth, that during the whole winter the Allies had loyally

proclaimed the strength of the forces arrayed against them, thus producing a feeling of depression and impairing the offensive morale of their troops, instead of taking measures to counteract the menace.

An acute French critic, Jean de Pierrefeu, in his *G.Q.G.*,[1] has given an admirable picture of the Allied military point of view, from which it will not be out of place, in order to illustrate the difficulties with which Lord Reading had to contend. He is speaking of the end of 1917, and of the effect upon the minds of the staff of the news of the Russian armistice. "They had lived until now upon the idea that we had an enormous superiority in man-power, and it seemed that this superiority must always be maintained. Suddenly there was no longer any doubt that we were inferior. In May, in all their appeals for permission to continue the war of attrition, both Nivelle and Haig had relied upon superiority. Six months of giving battle on the part of the English and of prudent attacks on our part had sufficed to reduce this superiority to nothing. This shows the folly of those who relied upon a war of attrition to ensure the defeat of the enemy.

"In 1915, even in 1916, the reservoir was well supplied; but in 1917 it was empty, and the Franco-British forces short of men. . . .

"A supplement to the Intelligence bulletins of the Second Bureau was in existence, entitled 'The Attack on Riga.' Every one at G.H.Q. had read it, especially the Third Bureau. But whatever may be said to the contrary, I cannot help feeling that

[1] See the English translation, *French Headquarters*, 1915–1918 (Geoffrey Bles, 1924).

they had only just glanced at it. The new methods taken by the Germans on this occasion had been closely followed, but the opinion of our Staff Officers had been vitiated by a reservation which had its origin in patriotic pride. 'These methods may have succeeded with the Russians, but they never could with us.'

"It is one thing to be aware of a fact, and quite another to estimate its worth, to throw light upon it, to detach it from its inconsequential context, to see it in its true bearing and to determine its true nature. Our Staff had failed in these respects as regards the Riga incident. I found in an appreciation of the offensive of March 21st, ably written by one of the most distinguished officers of the Third Bureau, the following passage: 'The very form of the attack was not unforeseen by our Staff. We had studied the counter-offensive in Galicia carried out by the Eighteenth (German) Army on July 19th, 1915. We had also studied the Riga offensive and we knew that the Germans sacrificed everything to surprise. The battle of March 21st was the exact reproduction of the Riga offensive.'

"Is not this a timid statement confirming my own views? For should we in turn have been surprised had we got to the bottom of the new methods?"

This mistrust of Allied strategy, which was already finding expression in Europe, was felt far more strongly in America, where facilities for impartial criticism were naturally more extensive. The task before the British ambassador, during the months when the scales of battle inclined so heavily against the Allied troops, not through any fault of their

own, but through the lack of judgment and of penetration of their leaders, was indeed a difficult one. His difficulties lay not so much in the recurring defeats themselves, for the history of the Civil War proved that American courage and determination never show to better advantage than when they are found on the losing side, but in the widespread opinion that the dispatch of American troops in comparatively small numbers to fight under Allied leadership was only to fritter them away. It required all Lord Reading's tact and diplomacy to voice the opinion of the Allies in the face of events.

The appointment of the Lord Chief Justice as his country's adviser was a curious departure from accepted practice. Although it was not altogether without precedent for the holder of the office to represent the country upon a Conference to determine a purely legal issue, such an appointment was made for a definite purpose only and for a limited period. The Lord Chief Justice had ever before acted as Ambassador Extraordinary. *The Times*, in a leading article dealing with the appointment, declared that

"The appointment of the Lord Chief Justice of England to be British High Commissioner in the United States is remarkable in many respects. It recalls a proud period in English History when English judges were, as he is, versed in statecraft, and it gives evidence of a desire on the part of the Government to make use of indisputable financial and diplomatic ability. . . . It is known that few men in England would be received more cordially in America than Lord Reading."

The new Ambassador's own views upon the subject were expressed in his own Court. Sir Gordon Hewart, the Solicitor-General, having con-

gratulated him on behalf of the Bar, of which he had been so distinguished a member, upon his new appointment, the Lord Chief Justice replied. In the course of his speech he said :

" With you I think it is not inappropriate that the holder of my office should proceed to America at this juncture on the mission to which His Majesty has graciously appointed me. America, like us, frames its Law on the Common Law of England. Her laws are based upon the same ideals of justice and liberty as ours. Her laws have the same origin and customs as those of the English people ; they are administered with the same traditions ; and in this struggle for justice and liberty it does appear to me that there may be more reason than is perhaps apparent at first sight for the selection of the holder of my office to proceed to America, for, after all, with my brother judges, I am the custodian of the Common Law of England. When I go to America it appears to me that with our Allies I go for this country, engaged in the administration of justice and in the preservation of liberty according to the laws of humanity and civilization.

" When I was invited to undertake this great task I need not tell the members of my profession that I gave the most anxious thought to the question whether it was fitting that I should discharge these duties while holding my present office. You have said that there is no precedent. To me that is not the answer, as, indeed, it is not for you, Mr. Solicitor, speaking for the Bar. There is no precedent for the present time. Precedents must therefore be made if the exigencies of the circumstances demand

them. What weighed most with me was that the service asked was in the national interest, not for a section of the nation, not for a political party, not for a particular class, but for a united nation which speaks with one voice. I am going the more willingly because it is to America—a country animated by the same ideals as our own.

"I trust that the labours in which we are now engaged will be conducive to a peace which would be the lasting one for which America and ourselves are continuing to labour, and that when peace has come America and this country will thereafter work continuously for the abolition of war, for the establishment of peace for the benefit of humanity and those higher laws of morality and humanity which we believe will be safeguarded by the purifying and ennobling sacrifices which have been made by this country, and which are now being made and must be made in the future by America."

Although Lord Reading's embassy may have lacked precedent, it certainly did not lack success. As a result of his able diplomacy a number of arrangements, financial and otherwise, were arrived at between the two countries which added enormously to the efficient conduct of the war. Among the financial arrangements may be mentioned one of considerable interest, not only of itself, but as being the first occasion upon which Lord Reading was concerned in Indian affairs as the representative of his country.

The war had had a very adverse effect upon the currency system of the Indian Empire. As early as 1914 India had commenced to supply the Allies with enormous quantities of raw materials, in addi-

tion to food-stuffs and munitions of various kinds. In addition to this, the Indian Government, in common with the other Governments engaged, was called upon for the pay of maintenance of the Indian troops, both in India and overseas. The result was a gradual and ever-growing extension in the circulation of rupees, which forced the Indian Government to increase the issue of notes. This meant that specie was required in India in order to maintain a reserve against the note issue. At that time there was a world shortage of both gold and silver, and the only possible source from which specie could be obtained was America.

In April, 1918, a very serious situation had been reached. The paper currency was nominally convertible into silver, but the issue of notes had far exceeded the reserve of silver, and unless a large supply of silver could be obtained, it would be necessary to declare that the paper currency was inconvertible, with a consequent fall in the value of the paper and probably a deplorable crisis, which, financial in its origin, might well have had the most serious political developments. It was fortunate, however, that at this moment Lord Reading was in America, where his influence with the American Government was all-powerful. He explained the situation in India, and showed how gravely any crisis in that country was bound to affect the Allied cause. The result of his skilful advocacy was that Congress passed the Pittman Act, as a part of the American wartime emergency legislation. Under the provisions of this Act the American Government was enabled to borrow from the Treasury the reserve

of silver held as security for the American note issue. Of this silver, the American Government sold two hundred million ounces to the Indian Government upon very easy terms, and made arrangements to expedite the shipment of the specie to India.

The effect of this measure upon the financial situation in India was immediate. The very fact that Lord Reading had been able to induce Congress to pass the Pittman Act was sufficient to allay any alarm, and though it was not until December of that year that the paper rupees became actually convertible, the crisis was past, and all danger of upheaval from this cause was at an end. Thus as early as 1918 India had occasion to be grateful to the man who was to become her future Viceroy, and whose quick appreciation of financial problems and skill in representing them in the quarters from which alone relief could be obtained, had conferred an inestimable benefit upon her.

It was popularly supposed that Lord Reading's tenure of his high appointment would last at least until the war had come to an end. It was therefore somewhat of a surprise to the country when he returned to England in August, 1918. But in fact this surprise was unwarranted. With the effective entry of America into the war, and the arrival in France of ever-increasing numbers of American troops, the centre of interest had shifted once more to Europe. Vague and so far undefined proposals for peace were in the air, and Lord Reading's presence was needed at home. He had beyond question established his position as Britain's ablest negotiator, and it was inevitable that he should be

at hand in order to bring his experience and advocacy to bear upon the vital question of the terms of peace. Although he was supposed to have come home on what was described as "a brief business visit," or, as he expressed it in the statement already quoted, "for the purpose of conferring with the Prime Minister, the Foreign Secretary, and the War Cabinet on various matters of importance," his stay was prolonged until February, 1919, during which period the anxious negotiations surrounding the Armistice took place. It was impossible that he should have returned to America at such a time, and his abilities were devoted to the all-important affairs taking place at home, and, during such time as he could spare from them, to his judicial functions as Lord Chief Justice.

Among his public utterances at this time the most notable was undoubtedly a speech delivered to the American Luncheon Club in August, 1918, very shortly after his return from America. A short extract from it will furnish yet another example of his personal modesty, and of the earnestness of his own conviction that the war had ushered in an era of renewed understanding between Great Britain and America.

"I am not so foolish as to imagine that this generous goodwill which has been shown to me in America is to me personally. It is to the representative of Great Britain. It is intended, and is so received by me, as a tribute of the high admiration of the American people for the efforts which Great Britain has made in this war, for the valour and heroism of her soldiers, for the magnificent services

of her sailors, for the invincible steadfastness of her people, not only those of Great Britain, but of all who form part of the British Empire. It is a recognition by America of the true democratic spirit which binds the British Empire so closely together, which makes that one indefinable, almost invincible, scarcely perceptible tie, which links together all the self-governing Dominions and the other Colonies which form part of the British Empire into one great whole, beating with one heart, animated with one spirit, with one fixed resolution, and united by that tie which can only be described as one of affection and love, and which has proved to the world to be stronger than the most superb steel shackles that ever could be forged by any industry. . . .

"I will ask you to remember that the prejudices that had existed in the United States to some extent against Great Britain were dying fast before the war came; but war has a way of making an end of things which would take many years to destroy in peace, and war, I believe, has destroyed almost every prejudice that was left; such as still exist I hope and trust will be removed with their causes before this war has come to an end. I say to you, speaking as I do fresh from contact with that great, generous, warm-hearted American people, we shall emerge from this war stronger together than ever we have been in the world's history.

"We shall count our dead, as we must, at the end of the war. We shall determine that our sacrifices and each other's sacrifices shall not have been made in vain. We shall realize that justice must prevail. It is for that we are fighting. There

is no intention, I am convinced, either in our own people, if we may speak for them, or in the American people, as I understand them, to do injustice. There is only a determination that this war shall end only when we are able to foretell with certainty, so far as human ingenuity can, that we have made an end at last of the great wars of the world's history and that in the future small nations will be able to look to the great nations for protection; that they will be assured to get justice from those great nations as they would from the tribunal of one of our own Courts; that they may rely upon it that their case, once put, will be judged on its merits; that the great nations will not allow any territorial ambitions or any others to interfere with dealing fairly and equitably with the claims of small nations, and that among us all, all of those who are co-operating here, who are so anxious to secure for the world that reign of liberty, that ordered discipline and freedom which alone make liberty. Liberty shall prevail, enthroned on high, with a light shining to the world that all may see it, that all may know they may come to it, and that America and Great Britain, and those who are associated with them, will be ready to do justice and are absolutely determined that so long as they can effect it peace in the world shall prevail."

When Lord Reading had left America in August, 1918, it was not anticipated that his absence would be prolonged, and he still retained his appointment of Ambassador Extraordinary. But the negotiations which led up to the Armistice, and the complete change in conditions throughout the world caused

by the termination of the war inevitably prolonged his stay in Europe. England, during this interval, remained unrepresented in Washington, and on both sides of the Atlantic considerable comment was caused by this curious situation, unprecedented at any time, and especially unwelcome at a time, when, largely owing to Lord Reading's efforts, the co-operation between the two nations had reached so close a stage. Yet, on the other hand, Lord Reading's appointment had been for a special purpose. Rather than as a regular ambassador, in the diplomatic sense, he had gone to America as a negotiator to decide the special and urgent questions which arose from the conduct of a war waged in common. Now that peace had come, these questions had to a large extent retired into the background, and the functions of a special envoy could be merged into those of an ambassador.

There is no doubt that Lord Reading would have been as acceptable to the American Government in the latter position as he had been in the former. But, in the first place, other duties demanded his attention. He was still Lord Chief Justice of England, holding an office of the highest judicial importance, which could not permanently be delegated. If he were to exchange his temporary post of special envoy for a permanent Ambassadorship, it would mean his abandonment of his legal duties and his assumption of purely diplomatic duties. Although at the time it was rumoured that he would take this course, it is unlikely that either he or the Government seriously considered it. The prestige of an ambassador, great though it undoubtedly is,

is certainly no higher than that of the Lord Chief Justice, and would scarcely justify the resignation of so august an office. Although, had the necessities of the times demanded it, Lord Reading would no doubt have cheerfully made the sacrifice, there was no question of any such necessity. Indeed, his talents could be applied to better purpose in Europe. Although the Armistice had been signed, there remained the complicated consideration of the terms of peace, which culminated in the Conference of Versailles. Lord Reading, whose services had so frequently been requisitioned in the conduct of the most delicate negotiations, must necessarily have been better employed in England than in America.

But, even so, his appointment could not be allowed to terminate in so vague and indecisive a manner. He had left America, meaning to return after a short interval, and it was only according to diplomatic tradition that he should formally lay down his duties in the country to which he had been appointed. Further, it was his own wish that he should have an opportunity of bidding farewell to the Government and the people with whom he had had such happy and successful relations. It was only fitting that he should return to America, in order to conclude his mission of special envoy and to terminate his official duties.

Lord and Lady Reading therefore sailed for America once more in February, 1919, for a stay of little more than two months. It was in the nature of a parting visit, and the country in which he had been so warmly welcomed, and which had been the scene of some of his most important though

least spectacular successes bade him an enthusiastic and heartfelt farewell. In his modesty he had said that he had no illusions that the goodwill which had been shown him was a personal tribute. In this Lord Reading had been only partially correct, as the circumstances of his relinquishment of his tenure of office showed. From both sides of the Atlantic came a shower of tribute to his tact, his courtesy, and his ability. In America it was freely stated that the great and remarkable *rapprochement* which had come about between the two countries had been due almost entirely to his personality, and in England the chorus of praise was without a dissentient note. *The Times* described him as "one of the most successful Ambassadors whom England has ever sent abroad," in these words summing up the opinion of the Press, the Public and the Government, each of which had in one way or another learnt to value the talents which had led to the successive steps of his romantic career. The returning Lord Chief Justice seemed to have reached the pinnacle of his fame. The war had taken him from his proper duties, and had interrupted his functions which he exercised as the highest legal authority in the land. He had been plunged in diplomatic adventure, and had risen to the opportunity in a way which added fresh laurels to his already versatile reputation. In future Lord Reading might be expected to devote his intellectual energies to the judicature, and to find in the exercise of that profession the outlet for the activities of his brain. The next phase of Lord Reading's amazing career was as yet hidden in the future.

CHAPTER VIII

Viceroy

FOR many months it appeared that the normal course of Lord Reading's occupancy of the office of Lord Chief Justice would run without incident, and that he would perform the duties of that post for a term of years until increasing age would bring with it a graceful retirement. But Lord Reading had played a far more prominent part in public affairs than falls to the lot of the majority of judges. Apart from the position he had made for himself in the legal world, he had given proof of his extraordinary versatility in the domains of politics, finance, and diplomacy. In the years which followed the war, rumour, inspired and uninspired, was busy with his name. High as was the post he occupied, it was felt that the mere exercise of judicial functions, important as they were, formed too narrow a field for the exercise of Lord Reading's talents, which were more adapted to constructive work than to the passive interpretation of the law. Perhaps, too, there was an instinctive feeling that a career which had begun so romantically, had developed in such unexpected directions, was unlikely to terminate in the prosaic atmosphere of a Court of

[*Bourne & Shepherd, Calcutta.*

VICEROY OF INDIA.

Law, even though it should be the highest in the land.

The war demanded the whole attention of the peoples engaged in it. Every thought, every effort, was devoted to the solution of the problems of which the ultimate goal was victory. For more than five years the ideas of the nation had been concentrated upon the one all-engrossing subject, to the exclusion of all else. The natural result was that, once the war was won, and the terms of peace decided upon, men awoke, much as Rip Van Winkle, to survey a world which had undergone many changes during the period of their preoccupation. Throughout both hemispheres the extraordinary and abnormal conditions caused by the war had produced a fresh outlook and fresh ideals. The normal process of development had been suspended, and its place had been taken by a curious and artificial atmosphere, in which men's ideas, as plants in a forcing house, had assumed strange and exuberant growths, which, unpruned, threatened to produce mere ephemeral leafage rather than mature and healthy fruit. The firm hand of wise government had been relaxed, and a multitude of inexperienced theorists had been allowed to develop false nostrums unhampered, and thus to introduce elements of unrest among the great communities which, inexperienced in political wisdom, listened to their projects for attaining the millennium open eared and open mouthed, as a crowd of rustics listens to the quacks of the market-place.

Among this pernicious leafage of the war were two rank growths, which, between them, threatened

and still threaten to leave the world with a heritage of embarrassment.

Democracy is normally a healthy and vigorous plant, which, carefully tended and wisely trained, bears the fruits of liberty and freedom. The safeguarding of the rights of subject peoples is a plant of more recent growth, requiring infinite care in its tender years and wise education of the peoples themselves if they were to be restrained from blighting it in their enthusiasm. Yet, in the forcing house of the war, the untended growth of Democracy resulted in Bolshevism; and the unwise culture of the rights of subject peoples led to the unfettered acceptance of the principle of Self-Determination.

With Bolshevism we are scarcely concerned. The principle of Self-Determination requires a few words of consideration, since the problems which Lord Reading was shortly to face had their origin to a very large extent in this doctrine. The Allies, and to a lesser extent the Central Powers, had during the war, found themselves faced with the necessity of conciliating large blocks of peoples, who either formed a minority in some existing State, or who were subject to the domination of an alien Power. The simplest way in which to secure the support of these peoples was to promise them either independence or a measure of self-government in accordance with the demands of their most advanced advocates. The doctrine of Self-Determination was proclaimed, no new doctrine in itself, but as now enunciated dangerous both to those who govern and those who are governed from its utter lack of qualification.

Self-Determination is in itself a natural sequel to the proper realization of the rights of nations, and to the careful and painstaking education of all nations in the art of government. It must necessarily follow from the advance of civilization that a highly cultured people, unjustly retained beneath the yoke of a foreign dominion, will, when the time is ripe, achieve its release. In some cases the time had become ripe during the years preceding the war, which merely provided the opportunity for an inevitable reaction. The Austrian Empire is a case in point. The war brought freedom to the Czechs, Slovaks, Yugo-Slavs, and Roumanians, but even without the war, this freedom would have been attained with no more than a further delay of a few years. These peoples, unwisely retained within an Empire to which they were racially antagonistic, and in which, although they formed the most industrious and most cultured sections of the population, they were allowed little practical influence, were entitled to decide upon the form of government under which they preferred to live. In their case Self-Determination was merely the next step in their national development, which would have been taken without the oratorical flights of unpractical idealists.

But these idealists were by no means content to rest upon such a prosaic note. The war had been won, and a new era of perpetual peace had been inaugurated. Individualism had conquered, and wholesome discipline had become a thing of the past. In future every subject nation, regardless of its situation, of its internal organization, of its power

to stand alone, was to exercise its sacred right of choosing its own government. This theory presupposed that even the most unenlightened people was capable of taking its place in the ranks of modern civilization, and by a wise ordering of its own affairs to contribute to the reign of peace which was so confidently proclaimed. Utopia had suddenly become a possibility of practical politics, not through the slow and tedious operation of the arts of peace, but, most surprisingly, as a result of the rough and imperfect surgery of war.

The politicians, who, in normal times, would either have shaken their heads or laughed contemptuously, according to their various dispositions, at the dreams of the idealists, found themselves, one hopes against their better judgment, compelled to supprt them. During the stress of war they had made rash promises in furtherance of their efforts to obtain fresh Allies or to cause embarrassment to their enemies, and the time had now come when these promises must be fulfilled. In many cases this fulfilment was impossible, owing to the fact that the promises given had been mutually incompatible. The subject is still too fresh for detailed examples to be necessary : it is sufficient for purposes of illustration to recall the situation, ludicrous had it not been both sordid and dangerous, which arose over that portion of Dalmatia promised alike to Italy and Yugoslavia when the war should have allowed of the dismemberment of the Austrian Empire.

But, where possible, such promises had to be redeemed, in outward seeming at least. The public,

from whom these undertakings had been concealed behind the veil of secrecy imposed by the war, awoke from its long and carefully fostered contemplation to find that all manner of problems, which, in the normal course of events, would have presented themselves for consideration successively throughout a long period of years, were clamouring for simultaneous solution. The face of the world had changed, and peoples, exhausted by war and desirous alone of leisure in which to reconstruct their own shattered fortunes, were faced with the necessity of taking instant action in affairs with which they were in many cases only remotely concerned and of which they were for the most part completely ignorant. The history of the years immediately following the war is the record of their attempts to do this. And in passing judgment upon the mistakes made in the process it is only fair to bear in mind the conditions under which these attempts were made.

India, in common with the rest of the world, had been profoundly affected by the war, and by the opportunity afforded during its progress for the unchecked development of new and untried ideas. It was felt in England that affairs in that country were approaching a crisis, and that some revision of policy was urgently needed. As early as 1917 the British Government had announced in Parliament that a policy of closely associating Indians in every branch of the Administration had been decided upon. This policy had for its object the gradual training of Indians in the art of government, which was to lead to the establishment of self-governing

institutions, the first step towards a measure of self-determination within the Empire. The immediate sequel to this announcement was what is known as the Montagu-Chelmsford Report, the greater part of which was subsequently incorporated in the Government of India Act of 1919, which was to form an entirely new departure in the relations between England and India.

But the leaders of extreme opinion in India had advocated far more drastic measures than had been provided in the Act, and they regarded the concessions it contained as wholly inadequate. At the same time the report of the Sedition Committee, presided over by Lord Justice Rowlatt, and which had for its object the setting up of machinery to deal with the outbreak of lawlessness which had previously occurred in Bengal, afforded the agitators an opportunity of declaring that a fresh attempt was being made by the Government upon the liberties of the Indian people. The tragedy of Amritsar brought matters to a crisis, and a position of very grave danger arose. Finally, the Treaty of Sèvres, imposing severe restrictions upon the powers of the Sultan, caused grave dissatisfaction among the Moslem population. The state of India, in spite of the efforts of the Government, appeared to be going from bad to worse and produced the most serious misgivings, both in India and in England.

The term of office of Lord Chelmsford, the Viceroy, was due to expire early in 1921, and the choice of his successor became a most urgent problem. So delicate was the situation that the issue of settlement or disaster might depend upon the actions of

a single man, who must combine the utmost tact with an obvious and notorious firmness, and whose quickness of intellect must enable him to grasp the ever-changing tendencies of the moment and frame his policy accordingly. Lord Reading had repeatedly demonstrated his powers as a negotiator, and as early as the middle of 1920 his name began to be whispered as that of a likely candidate for the post of Viceroy.

Probably, in normal times, he would have declined the honour. It had never been his object to seek a high position for the sake of the prestige attaching to it, and neither his health nor that of Lady Reading was sufficiently robust to induce him to undertake a residence in India for any but the most pressing reasons. But the times were by no means normal. India was seething in a state of unrest, and offered a problem which only consummate statesmanship could solve. It was an opportunity of once more placing his services at the disposal of his country, at no small personal inconvenience and risk, and, faced with such an opportunity, Lord Reading's adventurous nature had never hesitated. In January, 1921, it was announced that he was to succeed Lord Chelmsford as Viceroy of India, and yet another chapter was begun in the life of a man who, by all accepted standards, had earned the repose which follows strenuous and successful public service.

Lord Reading's first care was to make himself acquainted as far as possible with the problems which he would be called upon to face. He devoted himself with unremitting labour to the whole range

of Indian questions, and studied these from both the official and unofficial points of view. Until his departure he spent his time in examining the documents of the India Office, and in conversations with all those who could furnish him with first-hand information. He approached the subject with no rigid official predispositions. His aim was to learn conditions; he did not bind himself in advance to any stereotyped policy by which to encounter them. He brought a fresh and unbiased intellect to bear upon the whole matter of the relations between England and India.

His reply to the congratulations of the Bar, offered to him in his own Court by the mouth of the Attorney-General, is a clear indication of his state of mind at this time. After referring to the fact that his acceptance of the Viceroyalty of India necessitated his resignation of the position of Lord Chief Justice, he continued:

"I shall strive in the very few words which I still wish to address to you and the Bar of England to express myself very simply, disentangling the thoughts that are in me at the moment, feeling that the emotion that is stirred in me can be only truly expressed by the symbols of words. I am leaving a position which you have rightly described as one of the most exalted positions in England. To be Lord Chief Justice of England, to be one of the illustrious line of my predecessors, is, after all, a fitting termination to a lawyer's life, however great his position may be. To sit in the seat of the Lord Chief Justice to administer the Courts of England, to be the head of the judicial administration of

the criminal law of England, to direct the work of the Courts of England, to take part in all the labours of administering justice with the assistance of all my colleagues, is a position which it is, indeed, hard to leave. But we have learned, perhaps better during the war than any of us knew before, that there are calls of duty which must be obeyed. I do not profess to gauge the reasons for the selection of myself, with no knowledge of India, for this very great and illustrious position of Viceroy. I have pondered upon it, and it is only by the assertions of those who are best competent to judge of what is in the best interests of this Empire and of India, that I feel that, for some reason, I must be at least fit to take the position. From that moment I have never had any doubts, as regards myself, as to my duty. I will only say that in examination of the reasons for the invitation extended to me I have thought, and indeed I like to think, that it is perhaps rather the officer than the individual who has been asked at this solemn juncture of Indian history to take up the position of the King's representative in India.

"To be the representative of the King-Emperor in India is to be the representative of Justice. I leave this seat, the Judicial Bench, not forsaking or abandoning the pursuit of justice but rather pursuing it in larger fields, and where I fear the road is not so certain or so well laid. In the political sphere it has often struck me that there is this vast difference between the administration of justice in a Court of Law and the direction of public affairs, even though the directing mind is actuated in both

instances by a single purpose and a desire to do justice. In Courts of Law we are limited by the known factors of the case. The evidence is before us, and we can only deal with that, applying our knowledge of human affairs and the principles of law as handed down to us. In the great field of government and of politics, to my mind—and it is the result of some experience—the only certainty that you have is that you do not know all the factors, and that you can never know, during the time in which your decision has to be given, with certainty, the facts as you might ascertain them if you had years during which to conduct an investigation.

"Let me pass from that with one last observation that I trust those in India, who may be reading of my appointment, who are now at the outset of great progressive reforms, introduced into their country by the King's Government, may recognize that, in selecting the representative of Justice from this country to take the supreme place as the King's representative in India, it is the desire of His Majesty and of His Majesty's servants to make manifest in India that justice will remain the supreme guiding factors in the destinies of India, so long as it is possible for human beings to hold the scales even. . . .

"Mr. Attorney, it is never good in life to look back, save for the purpose of learning a lesson for the future. It is good to look ahead—I do—with hope, with trust in the future, believing that, going to India as I do, with the sole desire to do right, if I may not make a great name I cannot make a failure; for no one going there, animated

by a desire to do right, devoted to his duty, anxious to prove to the best of his ability that his country's selection was justified, can at least fail to impress all those qualities upon him."

Before his departure for India, Lord Reading naturally attended several public functions, and his utterances on these occasions invariably contained some reference of unusual interest. On the occasion of a dinner given by the English-speaking Union, he referred for the first time to the incident of the Indian silver during his tenure of office as Special Ambassador to the United States.

"There is just one instance to which I will refer that has not been told before, and I refer to it because it was brought prominently to my mind by a letter I have received from India. During the war, when as you know, every attempt was made by inspired propaganda to create dissension in the British Empire, there arose a situation in India which provided the material for the story I am about to tell, illustrating American good-will and friendship as well as anything I know in the whole history of the war, except, perhaps, the greatest thing of all, when President Wilson agreed that American troops should be brigaded with the French and British. There was a great scarcity of silver in India, where it was of more consequence than most places. We were hard pressed, very hard pressed, to find the metallic reserve, and particularly silver, which was necessary in India, where it was essential that the paper note should be convertible immediately into the silver rupee. Owing to the scarcity the difficulty was to find silver. There

was no means but one, and that seemed impossible. In the vaults of the American Treasury there were vast stores preserved as the financial backing against notes which were issued by Act of Congress —silver which could not be disturbed. No matter how much it might be wanted, it could not be taken out of the vaults of the United States Treasury, save by Act of Congress. It was then that the United States Administrators, and members of Congress of every party, joined in the endeavour to meet the situation by passing an Act without discussion, or practically without discussion, because any debate upon the subject would have been serious. The measure was passed in almost a record for shortness of time. It became law in a very few days, and vast millions of ounces of silver from the vaults were released and sent across the ocean to India— a country with which America had no concern— simply because America saw how necessary it was at that particular moment to help the British Empire. Nothing was made known of this, indeed, not in the newspapers. Numbers of newspapers were aware of it, but they did not mention it, because they felt that if they did they would derogate largely from the generous service which America was rendering to us. So far as I know, America has never claimed anything in the way of recognition for that service ; and so far as I am aware, I have made the first public statement in regard to it. I was even under the impression that it was a subject which was not to be discussed. But, inquiring at the India Office, whether I could speak of it, the answer was ' Certainly, any one who chooses can

obtain the information by reading the official documents. We shall be very glad if you refer to it.' . . .

"I am going forth to another world, not to the West but to the East. May I say that I undertook this new duty gladly, because it was represented to me that in doing so I could be of service to my country. There are so many millions who would do the same if they had the opportunity, but to whom the opportunity has not been given, that I regard myself indeed as a lucky man. I shall go determined, of course, to do my utmost, and conscious of the greatness of the task before me with over three hundred millions of people in India of different castes, different religions, different customs, and it may be different habits of thought. I may be bold, but I have pondered this subject many days, and what I think is this. When one goes to India one will find human nature there as we find it here in England. I believe the people of India will make the same warm response to generous treatment as our own people or as the American people. I am confident that in India, as here, justice must reign supreme, and I do not doubt—I trust I am not unduly hopeful—but that India, if she credits one with those ideas, if she believes that I am actuated by those opinions and policy, she will give me that same generous reception which I am so eager to give to her."

One further quotation will suffice to show the spirit in which the new Viceroy set out upon the accomplishment of the task which lay before him. It is from his speech at a dinner given at the Royal

Colonial Institute early in March. "If I strive to ask myself, as I have done, why I have been recommended by the Prime Minister to the King for this exalted position, I would not say because of achievements—I will not claim any personal qualities which would entitle me to the position—but I believe in the minds of those responsible there came a thought which struck me from the moment I heard of it as an all-compelling thought—a notion that fires the imagination—that it would be a great idea to ask him who sits in the mighty seat of British justice to leave it and go to India to undertake his part in the government of that country. I, who am about to leave the seat of justice, may perhaps say that upon which I would not venture if I were to remain there. Whoever is entrusted with the duty of administering justice in this country has upon him far greater responsibility than merely satisfying the needs of litigants who bring disputes to him. He is the custodian of a great and priceless heritage handed down as the true embodiment of the genius so characteristic of the British people of fair play and impartiality in dealing with people, and he stands, whoever he may be, fraught with responsibility, not only here but throughout the world, of maintaining what I verily, honestly, and convincedly believe, is the highest tradition of justice that exists throughout the civilized world. And so, if at the end of my period of office—if, when I return to this country, it can be said of me that I have, in however small a way, contributed to the welfare and the happiness and the prosperity of India—if it can be said that I have taken some small

part in upholding the traditions of British justice in India—if it can be said of me that I have helped to knit together, even closer, all that is meant by the British Empire, and that I have assisted, in however little a degree, in fixing more deeply, more firmly, the priceless lustre, the wonderful gem of India in the Imperial diadem, then, I think, I shall have deserved some little credit."

The new Viceroy duly sailed from England, and arrived in India on April 2nd, 1921. In his speech to reply to an Address of Welcome delivered by the Bombay Municipal Corporation upon his landing, he struck a very cautious note upon the subject of his proposed policy. The whole of India was anxiously awaiting some hint of his intentions, perhaps to be betrayed by an incautious word. Actually Lord Reading had not come with any cut and dried policy in his pocket. It was not his way. His legal training, his experience on the Bench, had taught him to approach any given subject with an open mind, and although he may have formed certain opinions during his preliminary study of Indian affairs, he was not the man to give expression to these until he had had an opportunity of testing them upon the spot. An extract from his speech, the first he made in India, sufficiently demonstrates his reticence:

"As Viceroy I shall be privileged to practise justice in larger fields than in the Courts of Law, but the justice now in my charge is not confined within the statutes of law reports. It is a justice that is unfettered, and has regard to all conditions and circumstances, and should be pursued in close

alliance with sympathy and understanding, above all it must be regardless of distinctions and rigorously impartial. The British reputation for justice must never be impaired during my tenure of office, and I am convinced that all who are associated in the Government and administration of Indian affairs will strive their utmost to maintain this reputation at its highest standard. I, as you, Mr. President, observed, arrive in India at a very momentous period of its political history. His Royal Highness the Duke of Connaught, an old and tried friend of India, has only just left these shores, after taking part in his own simple, dignified, affectionate and touching way, as a special representative of the King-Emperor, in the ceremonies of the inauguration of the new Councils and reforms. These are now in operation, and mark the opening of a new book in the history of India. They will ever be associated with the name of His Excellency the Viceroy, whose tenure of office is just expiring, and the present Secretary of State. What the people of India will write on the pages of the new book which is opened by this era of political advancement must inevitably have a most important effect upon the future of India, and yet notwithstanding these great progressive reforms, I must regretfully admit your statement that there is discontent in India. I join with you in prayer that it may be my good fortune to allay it, but I must not at this moment discuss its causes or effects. India is too responsive and too generous to expect me to make pronouncements which could not be based upon my own individual observations and information.

"Any declaration of policy to-day would be, must be, founded upon the opinions of others, and could not be the result of my own deliberate judgment. I feel convinced that I shall best discharge my duty to the King-Emperor and serve the interests of India if I take time to collect information, seek advice, and form conclusions. Meanwhile I must not utter an incautious word, or take a hasty step. I have no doubt that India will understand and respect my reticence at this moment. Let me express the grateful thanks of my wife for your welcome and good wishes for her health and happiness. Permit me to join her in these expressions, and to add that the opportunity of helping to promote the welfare of the women and children of the country contributes notably to the attractions of her position here. In conclusion, I pray that it may be my good fortune during my tenure of office to achieve, with the loyal and whole-hearted co-operation of British and Indians, some lasting benefit for India, and that these next years may revive and enhance her economic prosperity, and contribute to her material and spiritual well-being, to the end that peace, goodwill and happiness may reign among her people."

At this stage it will be convenient to review briefly the conditions with which the new Viceroy was faced upon his arrival in India. In order to understand the political reforms which had recently been initiated, it will be necessary to go back to the year 1918, when Lord Chelmsford and Mr. Montagu had between them drawn up a report which contained certain recommendations for the future government

of India. Dealing with the existing state of affairs, the Montagu-Chelmsford Report, as it came to be known, arrived at the conclusion that, owing to over-centralization, and the gathering of all the reins in the hands of the Central Government, the political development of the provinces was unduly retarded. The growth of local and general political consciousness had outstripped the measures introduced by the Morley-Minto Constitution of 1908, which no longer satisfied the aspirations of educated Indians. The difficulty in the way of introducing any rigid scheme of self-government lay in the vast educational gulf which lay between the educated classes and the mass of people, and a scheme which might be applicable to European conditions must necessarily fail were it to be attempted in India.

But the authors of the Report were convinced that the time was ripe for the introduction of political reforms. They went on to propose that responsible government should be conferred on India by progressive stages, together with a substantial step towards its immediate realization. They recognized that the people of India were not yet fit to enjoy a full and complete franchise, and that it was before all things necessary to educate the electorate up to a reasonable realization of their duties as citizens. Since the distribution of culture and education over the provinces of India was notoriously unequal, they proposed to begin with the first steps of the new reforms in certain provinces only, and there to establish a dual form of Government, to which the expression "dyarchy" was applied.

The administration was to be divided into two parts, "reserved" subjects and "transferred" subjects. The former would be administered by the Governor and his executive council, and the latter would be transferred to ministers chosen by the Governor from among the elected members of the Legislative Council. In this way Indian ministers would be trained in the practice of responsible government. The two halves of the Government would deliberate together, but each half would be separately responsible for legislative and administrative action in its own field. The Governor would be the connecting link between the two. He would assist and guide the ministers, but ordinarily would not direct action to be taken against their advice. The Provincial Legislative Councils would be enlarged and given substantial elected majorities. Provincial finance would be separated entirely from Imperial finance. The Provincial Governments were to have complete control over their own revenues and expenditure, after making each a fixed contribution to the Central Government. They would enjoy a much greater measure of independence of the Central Government in administrative matters, and their domain of action would be definitely marked out by a formal separation of functions or subjects appertaining to the Central Government from those appertaining to Provincial Governments. It was not proposed to introduce "dyarchy" into the Government of India. It was thought essential to retain the Governor-General in Council's responsibility to Parliament in the whole field of the Central Government. There would be no "ministry" working side by

side of the executive council, and no separation of central subjects into "reserved" and "transferred." The Imperial Legislative Council, however, would be replaced by a bicameral Legislature, consisting of a Legislative Assembly, in which there would be a substantial elected majority and a Council of State in which the Government would have an official majority. Bills would require the assent of both Chambers, except that a Bill certified by the Governor-General in Council to be essential in the interests of peace and order or good government which the Legislative Assembly refused to pass might be enacted by the Council of State alone. In the provinces the Governors would be given a somewhat similar safeguard (in the form of a grand committee) against the refusal of the Legislative Council to pass essential legislation.

Various committees having been appointed to consider this scheme, and to make recommendations as to which subjects should remain "reserved" and which should be "transferred," and have duly made their reports in the early months of 1919, a Bill dealing with the whole matter, and based upon the Montagu-Chelmsford Report and the recommendations of the Committees, was introduced into the House of Commons in July, 1919. A Joint Select Committee of both Houses, presided over by Lord Selborne, was appointed to examine it, and this Committee in turn issued a report upon the Bill, which contained a valuable survey of the scope of the new legislation. The Committee expressed themselves satisfied that the plan of the Bill interpreted the declaration of August 20th,

1917, with scrupulous accuracy, and that it was the best way of giving effect to the policy of the British Government. By the declaration of August 20th the Committee referred to the announcement in the House of Commons by Mr. Montagu of that date, to the effect that " The policy of His Majesty's Government is that of increasing the association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire." The Committee approved the plan of a dual government or " dyarchy " for the provinces, but refused to adopt the proposal pressed upon them by certain of the Indian witnesses whom they had examined that it should be extended to the Central Government. They considered it essential that, during this first stage of a measured progress towards responsible government the Central Government, except so far as it might be released from responsibility as regards subjects transferred to " ministers " in the provinces, should remain in undisturbed responsibility to Parliament and fully equipped with the necessary powers by which to discharge that responsibility. They also considered it essential that in the provinces, while the " ministers " should be given the fullest opportunity of managing the field of government entrusted to their care, the provincial Governor in Council, as regards the field of government in which Parliament continued to hold him responsible, should remain equipped with the sure and certain power of fulfilling that responsibility. They regarded it as

of the highest importance that the Governor should foster the habit of free consultation between the two halves of his Government. But this should not confuse the duties or obscure the separate responsibility of each half. Neither should control or interfere with the other. Each should be given under the Act and rules adequate power to fulfil its respective charge.

The Bill passed both Houses substantially as amended by the Committee, and received the Royal Assent on December 23rd, 1919, as the Government of India Act, 1919. But unfortunately the moment was unpropitious. India was in a ferment. Early in the year a violent campaign had been started by the nationalists against the report of the Sedition Committee and the measures proposed to be taken in accordance with its recommendations. The object of the Rowlatt Bill, which embodied these recommendations, was in general terms to continue the extra-judicial powers for dealing with rioting and sedition conferred upon the executive by the Defence of India Act, a war measure parallel to the British Defence of the Realm Act. Under these powers the Government of Bengal had succeeded in quelling a very dangerous conspiracy, and on the other hand Indian rights were safeguarded by the provision that the powers were not to be exercised except by authorization of the Governor-General in Council. But, nevertheless, the Rowlatt Bill was represented by the nationalists as an attack upon the liberty of the subject, and the extremists determined to make it the occasion for a trial of strength with the authorities. The result of their

intensive propaganda, aided by the tacit approval of even the more moderate school of Indian opinion, was to produce a feeling of unrest and excitement throughout India, and a vague feeling of antagonism towards the Government, combined with a deep mistrust of any measure which they might propose.

Under these circumstances the Government decided that firmness was the only possible policy. Concessions were made, the principal one being the limitation of operation of the Rowlatt Bill to three years, but the Bill met with the most determined opposition in the Legislative Assembly, and was only passed by the exercise of the Government's official majority. Meanwhile Mr. Ghandi, whose reputation throughout India as a holy man was already firmly established, organized a method of defeating the measures of the Government by a policy of passive resistance. The movement spread with extraordinary rapidity, losing its passive aspect in the process and becoming alarmingly like a manifestation of open rebellion. On the Rowlatt Bill becoming law, Mr. Ghandi declared a day of mourning and cessation of business, which formed an excuse for the assembly of angry and evilly disposed mobs. This naturally led to disorder and bloodshed. Martial law was proclaimed in many districts, and untoward incidents occurred, culminating at Amritsar, where, in the course of the dispersal of a hostile meeting, nearly four hundred people were killed and many more wounded.

Nothing could have suited the extremists better. The " massacre of Amritsar " became the leading article of their propaganda, which was enormously

strengthened by the thoughtless and improperly expressed criticism of certain sections of opinion in England, far removed from the scene of events and imperfectly instructed as to local conditions. The spirit of antagonism towards the Government and everything British, was in no way mollified by the appointment of the Hunter Committee to inquire into the cause of the disturbances or by the report of that Committee. This was the moment at which the Government of India Act became law. The National Congress met at Amritsar and passed resolutions condemning the Government's action in the Punjab, demanding the recall of the Viceroy, Lord Chelmsford, and condemning the reform scheme as disappointing and unsatisfactory. The extremists had definitely decided to oppose the reforms, feeling themselves strong enough to do so from the success of their propaganda. During 1920 Mr. Ghandi's original passive resistance scheme developed into a widely supported "non-co-operation movement," which was in effect a refusal of all classes of the community to continue their normal vocations under the existing Government. In August, 1920, Mr. Ghandi proclaimed in a letter to the Viceroy his adoption of non-co-operation as a remedy against a Government for which he retained neither respect nor affection on account of its unscrupulous, immoral and unjust action in the matter of the Khalifate and its failure to punish adequately the officials responsible for "the wanton cruelty and inhumanity" with which the disorders in the Punjab were suppressed.

The reference in Mr. Ghandi's letter to the

Khalifate brings us to a consideration of another cause of grievance existing in India against the British Government, confined indeed to the Moslem section of the community, but eagerly seized upon by the extremist leaders as being a means of consolidating Moslem and Hindu opposition to the Government. The position of the Sultan of Turkey as the head of Islam had made war with Turkey a very deliberate matter for the British Government. Although assurances had been given in 1914 and again in 1918 that Britain's quarrel was with Turkey as an ally of Germany and in no other capacity, and that, whatever the result of the war, the Sultan's religious status should remain unimpaired, a certain amount of restiveness had already been displayed in Moslem communities. The publication of the Treaty of Sèvres, which practically banished the Turks from Europe, although the actual city of Constantinople remained to the Sultan, was received by the Moslems of India with an outburst of indignation. Even so loyal a Moslem as Syed Sirdar Ali Khan, speaking of the treaty, cannot restrain his scorn for those who framed the treaty. Since his words may be taken as representative of educated Moslem opinion in India, they are well worth quoting. "If these self-arbiters of Europe, who settled nothing, had reflected for a moment, they could not have been blind to the fact that the Sultan of Turkey stood for all men hold dear as the Head Sovereign and leader of a religion which counts at least 220,000,000 followers, and that of that total 70,000,000 are members of the British Empire and fellow-subjects of the King-Emperor.

Had they reflected a little longer, they could not have imagined that those millions would be indifferent to the manner in which the Sultan of Turkey was to be treated by them. Was it likely that the repercussion of such unwise and unreflecting action would not extend to India? "

Such was the situation which greeted Lord Reading upon his arrival in India. To the non-co-operation movement, which had its origin and operated mainly among the Hindu community, was added the resentment of the Moslems towards what they considered as the vindictive treatment of the Sultan. The former was admittedly merely a symptom, but it was an exceedingly serious one. Throughout India there existed a genuine hostility towards the Government, not perhaps deep-seated, and confined to a minority of the population. That such a feeling had been produced in a comparatively short time by the extreme nationalists was a proof of their power and a warning of their dangerous tendencies. On the other hand, the movement inspired by the resentment of the Moslems at the treatment of the Sultan was purely religious, and the causes of it were beyond the control of the Government of India.

The first step taken by the new Viceroy was characteristic of the man and of the direct methods which he had always advocated. He wished to know the facts, to probe the depths of the feeling against the Government and to learn the true reasons which inspired it. There was one obvious means of obtaining the knowledge he sought, but it was a means which a lesser man, or one brought

up in the official traditions of red tape, would have hesitated to adopt. Lord Reading took the view that his opponents were reasonable men, and must therefore be capable of argument, if not of persuasion. In a speech delivered at Simla on May 30th, less than two months after his arrival in India, he expressed this point of view, and explained the train of thought which had led him to an interview with the chief of his opponents, Mr. Ghandi.

"I am minded to-night to speak to you very briefly on certain propositions which I think are established beyond the possibility of doubt. The first is the fundamental principle of British rule in India. I suppose there is no one—there is no section of the British community, I am sure—who would dispute the proposition that here in India there can be no trace, and there must be no trace, of racial inequality. No one can study the problems of India without realizing at the outset that there is some suspicion and, perhaps, at the present moment, some misunderstanding between us. Well, I am convinced that whatever may be thought by our Indian friends not present in this room—I do not refer to those present because they are conscious of the contrary—I say, we do not indulge in any notions of racial superiority or predominance. I think this is axiomatic of British rule, although I am perfectly prepared to admit that there may be undoubtedly certain questions with which I am striving to make myself familiar, in which there will be an opportunity for putting this equality on a firmer basis than at present exists—and as a corollary, scientifically considered—it is not a

separate proposition, and I am sure it will demand from you as whole-hearted support as the proposition which I have just enunciated—I say that there cannot be and must never be humiliation under British rule of any Indian because he is an Indian. And I would add one further proposition which I believe is as true as either of those to which I have given utterance, and which found support from you, that we British people in India, and those also in our own country, must realize that we have much suspicion to disperse, many misunderstandings to banish from among us, and that, in truth, the essence to my mind of co-operation between us and Indians is that we should convince them by our actions, which will accord with our thoughts and intentions, that we honestly and sincerely mean what we have said with regard to India. This may not be accomplished in a day. . . .

" I am so thoroughly satisfied from long experience and some knowledge of public affairs that it is only by the interchange of thought and by constant communion between members of different races existing under the same Government and having precisely the same objects in view—the welfare of India—that we can arrive at satisfactory results. I have recently had an opportunity of testing the value of this interchange of thought—although I must admit that in the full, free and frank discussion that took place between Mr. Ghandi and myself, I cannot tell you all that happened—yet the veil has been to some extent lifted and there is no secret as to how the interview came about. Unless it should be thought that there was any concealment

about it I will tell you what happened. Mr. Malaviya came to see me, and we had several interviews to my profit, and I hope also to his—because, I think, two men cannot exchange ideas and discuss problems without deriving some benefit to either side. He left me with the impression that he would like me to see Mr. Ghandi. Well, it did occur to me that my address was not altogether unknown—but I informed Mr. Malaviya that if Mr. Ghandi applied to me for an interview I would readily grant it, and I should be glad to hear his views. The consequence was that in due course Mr. Ghandi did apply and there was not only one interview but several interviews between us. There was no finesse or manœuvring about it. It seemed to be a plain and straightforward arrangement for an interview. Here again I think I am not quite so free to tell you all that you might desire to know, yet I will say that I am quite certain that the results of these interviews produced at least this satisfactory result, that I got to know Mr. Ghandi and he got to know me. This result may be somewhat vague and indefinite, yet it is not entirely so.

"As you may be aware, the result of these visits and discussions was that Mr. Mahomed Ali and Mr. Shankat Ali have issued a public pronouncement which, doubtless, you have seen to-day, expressing their sincere regret for certain speeches that they have made inciting to violence and have given a solemn public undertaking that they will not repeat these speeches or similar speeches so long as they remain associated with Mr. Ghandi.

"I do not want to discuss this matter at any

length. I merely referred to it, as showing that the interviews were not entirely fruitless, because, so far as the Government is concerned, we achieved our immediate object, which was to prevent incitement to violence, which, as I have had occasion once before to say, almost always reacts with fatal effects upon those who are most innocent. We, as a Government, have a duty to perform. We have to protect those who may be thus led away and we therefore have determined to take steps in order to vindicate the law, to maintain its authority, and to prevent the recurrence of any further violence. Fortunately, it has not been necessary to have recourse to the ordinary law of the land for the reason that we have now got the undertaking to which I have referred. I certainly shall assume that it is intended to keep that undertaking, and that the expressions of regret are as sincere as the expressions seem to denote, and so long as that undertaking is observed we need not fear that such speeches will recur, and, provided the undertaking is observed, they, too, may be sure that there will be no prosecution for them.

"I am thinking at this moment of all the impressions that India has made upon me, and of the Indians with whom I have so much come in contact since my arrival here. May I say in all earnestness, that whenever I have met an Indian and discussed the problems with him, I have felt sure that there was, in spite of all that might be said, a true bond of sympathy between us and Indians. I am not a pessimist, I have never fallen a victim to that fell and paralysing disease. I started from home

full of hope and trust in the future, because in the little time I had been able to give to the study of India and the Indians, I had already detected that there was a sympathetic feeling between us: that there exists, perhaps, with them a more delicate and intense sensitiveness than is the case with us people of Northern Europe. But it is an attractive attribute when carefully studied and considered, and when due regard is paid to it. I do believe that Indians will respond whole-heartedly to the just rule which we intend to carry on. I am fortunate in this, that in my Executive Council I have members who, one and all, share the views which I have expressed to you this evening. There is no difference or dissension of opinion among us. We are all animated by the same purpose and are pursuing the same object, and we mean to carry out our duty. We mean to act up to our responsibilities. Whatever happens, we shall pursue our way. We shall do what we think is right. Even if we do what is right, from some things which I have learnt and read, I am afraid we shall nevertheless be suspected of sinister and evil motives.

"But I believe that the world has taught us that good purpose and good action must have their results, and all we ask is that there should not immediately be a suspicion that the purpose and the motives are evil, even though the action may be right, ever so right, in itself. It is not, I think, a very exaggerated demand to make. We are accustomed to believe that actions are judged by their results, as to whether they are for good or for evil. I have learnt that one of the most difficult

tasks that men can set themselves is to ascertain the motives of another. If you look to your lives among your own friends, if you like a man, his action may appear to be a little questionable, but you are sure his motive is good: if you dislike him, though his action may be ever so good you are sure his motive is bad. My judicial training has taught me to discard both these, to examine the actions which are performed, and that is the task to which we have set our hands, and as I told you, it is the course which we intend to pursue. We believe that in the end we shall satisfy Indians and bring them to sympathetic co-operation and good-will with us, working for that great purpose which lies before us to lead India to that high destiny which is in store for her when she becomes the partner in our Empire, when she has attained her full development and risen to those heights which the imagination of men, in my judgment, is as yet incapable of comprehending, when India shall have obtained that place among the councils of the Empire which shall enable her to exert her influence upon the councils of the world."

This speech, made shortly after Lord Reading's interviews with Mr. Ghandi, proves that the optimism with which he had set out upon his difficult task had been somewhat modified. Closer contact with the representative of Indian extremism had shown him what he must have already expected, that the extremist movement had got beyond the control of reasonable men and was now in the hands of reckless agitators who were careless of the true interests of India and whose only object was

destruction. The non-co-operation movement was in itself a most embarrassing symptom, but this was by no means the worst of the evil. Non-co-operation could be combated by administrative methods; the outbreaks of violence threatened by the agitators could only end in a display of force, which, while it might serve its immediate purpose, was certain to alienate yet further the wavering sympathies of the majority of the population.

The Viceroy had declared the intentions of the Government; to carry out firmly and unwaveringly the processes initiated in the new reforms. There could be no doubt that he meant what he said. On the other hand, the extremists, misled by the conciliatory words with which he had inaugurated his rule, may have believed that these were a sign of weakness. Here was a man, more favourably disposed to India and the Indians than any Viceroy had hitherto expressed himself, even to the extent of causing some murmuring among those with whom he had to work. In his anxiety to justify his attitude he might have been persuaded, by a show of truculence, to make concessions, and so to lower the prestige of the Government. The agitators knew well enough that while the prestige of the Government stood at its normal high level, their doctrines would never find acceptance among the mass of the people. The Oriental mind trusts and admires firm and equitable Government, and, however much it may grumble at real or fancied grievances, it is difficult to rouse to real and active opposition. But once the prestige of a Government falls, once it can be demonstrated that determined opposition

can extort concessions from it, its credit in the eyes of the people is lost, and its downfall becomes merely a matter of time.

But, if the agitators imagined that they could intimidate the new Viceroy, or presume upon his goodwill towards their country, they displayed a lamentable ignorance of his character. His point of view was that the new reforms were to India's best advantage, and he proposed to enforce them for the benefit of the majority of the people. That they did not happen to fall in with the views of a minority was no concern of his. His policy was not to dragoon this minority, and so to exhibit the iron hand which he was most anxious to conceal, and thus to play the game of the agitators, but to exhaust every avenue of tact and diplomacy to convince the minority that their tactics were hopeless, and that their only hope of gaining increased concessions lay in constitutional opposition rather than in unconstitutional violence.

From the point of view of the extreme nationalists this course seemed impossible. They had committed themselves too far to abandon their policy of non-co-operation. They had taught their supporters that in open defiance of the Government lay the way to liberty, whatever exactly they may have meant by that much misused word, and they would have lost their credit had they appeared to accept the new form of Government. Ignorant of the elements of political wisdom, inspired by the success of Bolshevism in Russia and of Sinn Fein in Ireland, which latter by a carefully thought out policy of murder and outrage succeeded in imposing its will

on the British Government, they believed that they could obtain by force and within a short period the concessions which they might have obtained gradually by the use of the powers which were offered them. The interviews between the Viceroy and Mr. Ghandi were therefore practically barren of lasting result, although they may have had their influence upon subduing the campaign of violence, and the non-co-operation movement continued to gain strength, until in the following year it culminated in an unprecedented demonstration of disloyalty.

Meanwhile, events in the Near East, and especially the support and encouragement given by Great Britain to the Greeks in their campaign against Turkey, had made it possible for Britain's enemies to declare that she was antagonistic to Islam. Mr. Arnold Toynbee, whose authority can scarcely be questioned, points out the deep sympathy which must necessarily exist between the Indian Moslems and Turkey, and concludes with the words: "Moslem sentiment about Turkey is not only genuine but reasonable. There is the possibility here of a very serious misunderstanding between the Western and Middle Eastern worlds." The Indian Moslems had watched with alarm and concern the preparation of the Treaty of Sèvres, and the progress of King Constantine's amazing adventure, supported by the British Government, if not materially, at least morally. Very shortly after Lord Reading's arrival in India, on June 23rd, he received a deputation from the Ahmadyya Community, a body of Moslems, who could not by any

stretch of imagination be accused of sympathy with the destructive policy of the extremists. This deputation laid stress upon the policy of the Government with regard to the Khalifate, and expressed the hope that the British policy of opposition to Turkey might be modified. Lord Reading's reply was as follows:

"I would ask you to bear in mind the efforts that the Government of India have constantly made to secure terms of peace with Turkey more in accordance with the religious susceptibilities of our Moslem fellow-subjects in this country. I speak from personal knowledge when I tell you that no reproach can justly be made by Indian Moslems against Lord Chelmsford, or the present Secretary of State, for both of these distinguished gentlemen persistently and most forcibly represented the Indian Moslem views, and left no stone unturned to place them before the Allied Powers. If the facts were more fully known, a more generous acknowledgment would be made to both of these distinguished friends of India. Since I have been Viceroy I have done the utmost in my power to continue to represent these views to His Majesty's Government. These efforts of the Indian Moslems have not been fruitless. The recent deputation of your fellow-countrymen has put the views of Indian Moslems before the Prime Minister, Mr. Lloyd George, and also before His Majesty's Government, and as you are well aware, this deputation has received the most sympathetic consideration. I do not mean by that that everything that they asked was promised to them. That was hardly possible, and indeed the

Prime Minister explained that he could not fully accept these representations. But he went a very long way, as I am sure you will admit, when he made the promise, and when he has used his powers as he has used them, for the purpose of getting the Treaty of Sèvres modified very much in favour of Turkey. That these terms have not yet been accepted by the Powers involved cannot be laid to the fault of the Prime Minister or of the British Government.

"I wish that the facts to which I have referred were a little more generally recognized. I know that many Mahomedans are free to admit that a great change has been made in the situation by the reception which the Prime Minister gave to the deputation and by the statements which were afterwards made by Mr. Montagu embodying the terms the British Government were prepared to put forward to Greece and Turkey, and of which the British Government is seeking its best to obtain acceptance. But it does seem as if there are some among the Indian Moslems who are more anxious to find fault with the British Government and more desirous of embarrassing the British rule in India than they are of recognizing the efforts that are made to placate, and indeed even to content the Indian Moslems. There is at the present moment a recrudescence of the tendency in some quarters to represent Great Britain as hostile to Islam, and to indulge in references to the attitude of His Majesty's Government towards the Kemalist Government at Angora, which do not seem to be warranted by the facts. The rumour that an ultimatum has been

presented to that Government by the British, is, so far as I am aware, untrue. I don't know whence the rumour comes. I have heard nothing of it. His Majesty's Ministers have on repeated occasions emphatically contradicted the suggestion that they are giving the Greeks any assistance in the campaign now proceeding in Asia Minor. A grave responsibility rests upon those who choose to make themselves the means of disseminating the notion in India that in its relations with the Angora Government, His Majesty's Government has only shown another example of its alleged hostility towards Islam, and of its resolve to crush the last remnant of Islam's temporal power.

" There is not a vestige of truth in that statement. Nothing could be further from the truth than to say that Britain is out to destroy the Islamic power, and let me tell you that no statement is more calculated to tend to trouble and unrest among Indian Mahomedans. I most earnestly hope that as a result of events that are now proceeding, and of the efforts which are being made, as shown by the reports of Mr. Winston Churchill's speeches on behalf of His Majesty's Government, that their desire to bring about a reasonable peace with Turkey will succeed. I fervently trust that the neutrality so recently reaffirmed by His Majesty's Government in the struggle between Greece and Turkey may be continued, and that, if the conflict in the Near East must proceed, Britain may not be compelled to depart from her declared policy, and I trust also that a just and reasonable peace may result from the endeavours of the Allied Powers between Greece

and Turkey, which will content the Moslems and particularly the Indian Moslems, who constitute so great and important a portion of the population of His Majesty's Dominions."

The question that was agitating the minds of the Indian Moslems was one whose reply was entirely beyond Lord Reading's control. The issue between Greece and Turkey, into which the question of the Khalifate had crystallized, was a matter of European rather than of Indian politics. The principle of Self-Determination had somehow become dislocated, possibly owing to the interests of the Powers concerned in Syria and elsewhere, and the support of either of the contending parties had become a matter of interest rather than of morals. The Greeks continued to find favour in the eyes of the British Government, and their efforts were the subject of more than one eulogy from Mr. Lloyd George. This is not the place in which to trace the history of the struggle, or to comment upon the attitude of the British Government towards it. We are concerned only with Lord Reading's attitude towards it, and with his unceasing endeavours to conciliate the Indian Moslems in the face of a British policy which he could not control and of which he could not have approved. For this purpose it will be convenient to deal with the whole matter at once, although it will be necessary to return later to a consideration of events which took place before its conclusion.

In the autumn of 1921 it was obvious that the Greeks, whose advance through Anatolia had been checked, were preparing a fresh campaign for the

following year, apparently with the full approval of the Powers, who had made no really effective move towards enforcing peace. The Indian Moslems, seeing that no attempt was being made to bring to an end what they considered as an unprovoked attack upon Turkey, felt their natural anxiety increased, and endeavoured to secure from the Viceroy some definite undertaking, believing, or professing to believe, that his influence with the British Prime Minister was capable of securing the acceptance of their demands. On November 30th Lord Reading replied to a deputation from the Moslem community of Delhi as follows:

"Ever since I became acquainted with India I have been impressed by the intensity of Mahomedan feeling in India regarding the terms of the Treaty (of Sèvres). Immediately upon my appointment, the Secretary of State and I had lengthy discussions upon this most important subject. You are well aware that you have in him a very staunch and faithful supporter of Indian Moslem opinion. Throughout the various representations that have been made from India to some of which you refer in your Address to me, I noted at every turn how strenuously and devotedly my predecessor, Lord Chelmsford, had laboured with the Secretary of State in the cause of Moslem India. Since my arrival here the subject has never been absent from my mind, and I have endeavoured, and with the invariable support of my Government, to impress your views upon His Majesty's Government, and to endorce them as fully as lay in my power. There must always be great sympathy for those who seek

to remedy what they conscientiously believe is an injustice to their religion, and this sympathy is never denied by the British, with their love of justice and complete freedom in religious matters, and I beg of you not to think that the Indian Mahomedan representations, based upon their religious sentiments, have fallen on deaf ears. Indeed, a moment's reflection will prove the contrary, for the events of this year must be still fresh in the memory. I need only refer to-day to the deputation of Indian Moslems that waited upon the Prime Minister in London in the earlier part of the year, and to the modifications of the Treaty which were then favoured by him. You will also remember the proposals which were made at the London Conference to bring about a lasting and equable peace. Had they been accepted they might not have satisfied all your wishes, but they would have constituted very important modifications in favour of Turkey. Unfortunately, hostilities were continued, and peace has even yet not been made between Turkey and Greece.

" It is, I am afraid, no consolation to reflect that all this trouble has followed upon the unhappy entry of Turkey into the Great War, and I shall not dwell upon it. Neither shall I dwell upon the loyalty and devotion of Indian Mahomedans during the war, and on their gallant services, save to observe that the Indian Mahomedans may justly pray these in aid when seeking recognition of Indian Moslem opinion in the settlement. I note with special satisfaction your appreciation of the present and past efforts of the Government of India to bring

home to the British Cabinet the depth and intensity of the Mahomedan feeling aroused by the Turkish Treaty, and by the failure, up to the present moment, to bring its terms more in harmony with the sentiments of the Indian Moslem world. I am fully conscious of the responsibility which devolves upon me and my Government to continue to press your views upon His Majesty's Government, and to do my utmost to make them effective. I can assure you that the gratitude you express, indicative of your appreciation of our efforts in this respect, will be an encouragement to us in the future. Notwithstanding this recognition, you, however, observe that the Government of India's efforts cannot be a source of comfort to Indian Mussalmans unless some effective result is obtained.

"This view has been presented to me on various occasions in many conversations I have had with leading Mahomedans, and I have felt the force of it. I sympathize with your sense of disappointment and wish I could completely relieve it, but although I cannot for obvious reasons make definite assertions regarding the results that may be achieved in the future, yet I feel that I should give you such indications as are open to me, and which may, and I hope will, prove of assistance to you. You will understand that I am speaking of a complex international problem, which has still to be solved, and that its solution does not rest with me or my Government, save in so far as the situation may be affected by our representations of your views, and powerfully endorsed by the Secretary of State in the British Cabinet. But neither does the solution of the problem rest

with Great Britain alone. If it did, the conflict would long since have terminated. The British Empire has every reason to wish for peace between Turkey and Greece. Britain's position has been that of strict neutrality, and in spite of malevolent rumour I trust you will have no doubts upon this subject. She has always been ready to lend her good offices to bring about an end of the war. The attempts hitherto made have unhappily not yet produced definite results, but there are indications that the time is not far distant when the meeting to settle the terms of peace must take place. The peace His Majesty's Government desire is a fair and equitable peace, which will pay due regard to the religious sentiments of Moslems. You emphasize the objections of Indian Moslems in particular to the international control over Constantinople, the grant of Smyrna and Thrace to Greece and the abolition of the religious suzerainty of the Khalif over the holy places of Islam, and it is, as I understand it, with the view of securing the modification of these terms of the Treaty of Sèvres that you have waited upon me to-day and presented this Address.

" If I do not discuss these particular problems at any length let me assure you it is not for lack of sympathy. Your views, all that you have placed before me, will again be represented to His Majesty's Government. With the full authority of my Government I can assure you that I have already done my utmost to urge these modifications and have used, and shall use, such influence as I may possess to make them effective. But I would ask you to remember that the Prime Minister, in answer to

the deputation in London, and the Secretary of State, in his telegram to Dr. Ansari, have already stated their views in favour of freeing Constantinople from the international control imposed after the war, and with a reservation as to the internationalization of the Straits, both in the interest of Turkey and of general peace. Again, from the same source, it is apparent that His Majesty's Government have not failed to recognize the importance to Moslems of the religious suzerainty of the Khalif over the Holy Places of Islam. As regards Smyrna and Thrace, I do not think that your representations in this or in any respect are of no avail. They have already borne fruit, as I have shown you, and I trust that when the terms are eventually made you will find that the views of the Indian Moslems have played a greater part than perhaps you have hitherto imagined in fashioning the Treaty, and more especially in its relations to the religious sentiments and aspirations of Moslems. It may be that all you would wish cannot be achieved. There are difficulties upon which I shall not dwell, but which must be apparent to you and to all who are interested in this question. Whatever the results, you may rest assured that not only have you and your fellow Moslems in India striven with intensity of conviction and religious fervour for the benefit of the Moslem religion, but you have certainly secured the sympathetic support of my Government. The continued representations by the Government of India have not failed, as I verily believe, to have effect upon the British Government. They might have acquired even a greater strength

but for the agitation of extremists, who seem to labour under the delusion that revolutionary agitation will give better results than powerfully reasoned arguments, temperately but forcibly urged by the leading men of your community."

Less than a month later the Viceroy emphasized these words in his reply to a deputation of the Moslems of Bengal, which had presented him with an Address on the occasion of his visit to Calcutta.

"I may assure this deputation," said Lord Reading, "that I fully realize the strength of Mahomedan feeling on the subject which has my great sympathy, and from my first association with India I have wished to bring about a settlement which would really satisfy the Mahomedans.

"The British Government has been left in no doubt as to the views of Indian Mahomedans, and the Government of India will continue to insist by every means in their power upon the strength of their feelings. The impression I have formed is that Mahomedans generally feel that they have the sympathy and support of the Government of India, but that this was not bringing about the results they desire in the modification of the Treaty.

"I will ask the deputation not to come too lightly to that conclusion. The representations of the Government of India are having, at least I hope and believe, more effect than perhaps they are aware of. It is not possible to discuss publicly the situation in an international matter such as this, but I may give you a ray of hope. Within the last few days I have heard from the Secretary of State that many of the representations we have

made together are having good effect, and that he has reason to hope they will prove successful in bringing about a satisfactory settlement with Turkey at an early date. I will ask this deputation to bear in mind that if the result were not immediately visible the views of the Indian Mahomedans were having more effect than they realized. You may not obtain all that you have put forward. I wish indeed that you could, and I will certainly render all the help in my power. At least I think the conclusion will be very different from that of 1920. It is a mistake to think that the British Government is hostile to Islam. To treat religion apart from politics is a standing principle of the British Government."

Lord Reading's public utterances upon this subject have been quoted at considerable length, because the events which followed them seemed likely for a moment to bring the Viceroy's career to a sudden end. In spite of his comforting but exceedingly cautious words, the position in which he found himself was an extraordinarily difficult one. The British Government were definitely committed to an anti-Turkish policy. This is not the place in which to examine the reasons for this fact, which can only adequately be understood by a careful study of the whole situation. Here it is sufficient to say that Mr. Lloyd George had several times expressed himself as enthusiastically favourable to the Greek cause, and an advocate of the policy of expelling Turkey from Europe, and apparently from the greater part of Anatolia as well.

Lord Reading knew well enough that the execution

of this policy would be disastrous in its effect upon Indian Moslem opinion. In the first place, it would violate the pledges which had been given them by British politicians; a most serious matter, for one of the great holdfasts of British rule in India is the tradition of faithfulness to undertakings. In the second place, the religious bond between the Indian Moslems and Turkey was such that a very serious wave of discontent must have swept over the former should the Turkish power have fallen through any connivance by the British Government. Both the Viceroy and the Secretary of State knew only too well what the effect of any such wave of discontent must be. Hitherto the hereditary hostility between Hindu and Mussalman had prevented any lasting alliance between them under the leadership of the nationalist extremists. If the irritation caused by British hostility to Turkey should culminate in a sudden outburst due to the success of Greek arms under British encouragement, the Moslems would be thrown into the arms of the agitators, with consequences as far-reaching that they were impossible to forecast.

It had always been Lord Reading's habit to throw himself heart and soul into whatever case he found himself upholding as an advocate. At this moment he was India's advocate, pleading her cause before a tribunal which scarcely took the trouble to understand the vital importance of the issue. It is not too much to say that the maintenance of British rule in India, already threatened by the activities of Mr. Ghandi and his supporters, hung in the balance. If the Indian Moslems were to throw their weight

into the scales against the Government, a general revolt, with all its disastrous consequences, must immediately ensue.

Lord Reading had the political wisdom to appreciate current affairs in their true light. Mr. Lloyd George, whose mind had been educated in the old tales of Turkish atrocities and the prowess of ancient Greece, no doubt believed that he would be conferring a benefit upon civilization by reviving the old " bag and baggage " policy, and banishing the Turk to the wilds of Asia whence he originally sprang. This, although doubtless a romantic and poetical dream, happened to be wholly outside the realm of practical politics, as, indeed, the event showed. Lord Reading, whose common sense was rarely at fault, had seen this from the first, and a curious situation had arisen, in which what was practically a diplomatic war had broken out between the British and the Indian Governments. The Viceroy, in his advocacy of the Indian cause, had determined to do his utmost to reverse the British policy. For this he needs no justification. It would be ridiculous even to suggest that there could be any comparison in importance between the fate of Turkey and the fate of the British Empire.

For it must be realized that at the moment nothing less than the latter was at stake. It is easy for us, looking back upon this period in the light of what happened subsequently, to belittle the issue, and to decide that Lord Reading had inadequate grounds for the attitude which he adopted. The policy of the Kemalist Turks towards the Sultan had not then been fully revealed, and

the utter and ignominious failure of the Greek offensive had not taken place. Lord Reading was convinced that the fate of India depended upon some modification of the British attitude, and he believed it to be his duty to do everything in his power to bring about some such modification as would pacify the growing restlessness of the Indian Moslems.

He has, not unnaturally, been blamed for his insistence. The simplest way of indicating the nature of this criticism will be to quote the comparatively temperate judgment of two distinguished authors who may be styled supporters of the anti-Turkish policy of the Government.

"Whatever criticisms the Treaty of Sèvres may have incited, the one criticism that matters is that it came too late. With no force behind it, except a Greek army, it intensified Turkish resentment; it drove Kemal more closely into the outstretched arms of Soviet Russia; it inflamed racial and religious passions, not only in Turkey itself, but in the Mahomedan world outside Turkey, and not least in India, where the leaders of an essentially anti-British movement had been astute enough to call it a Khalifate movement, and by affixing this religious label to it, had rallied to it the bulk of a largely ignorant and fanatical Mahomedan population as well as the multitudinous Hindu followers of Ghandi, whose revolt against the British Raj and Western civilization also derived its strength from religious as well as racial passions. *Whilst Great Britain's hands were weakened by the surrender of the Government of India to that agitation* [the italics are mine], and by fears of its extension to the Mahomedan countries in which the hopes we had raised by our war-time professions had been bitterly disappointed, the French and Italians, tired of the cost of maintaining their armies of occupation after ours had been withdrawn, and, growing for different causes more antagonistic to the Greeks than to the Turks, began to consider whether their interests might not be better served

by coming to terms on their own account with the Nationalist Government at Angora than by continuing to bolster up the Sultan's Government at Constantinople, which had lost its last vestige of authority by signing the Sèvres Treaty. It became clear that if ever that Treaty was to be enforced it could only be by an overwhelming victory of the Greek armies, and the Allied cause, in so far as it was still bound up by the Treaty, came to be irrevocably bound up with the Greek cause, which the restoration of King Constantine had hopelessly jeopardized, and which the British Government had themselves been constrained to repudiate, at least formally, when military, economic and political considerations compelled Greece to stake everything a year later on a desperate renewal of an offensive, which became merely a forlorn hope. How far the Allies had already drifted apart could be apprehended when, in spite of a declaration of joint neutrality as between Greeks and Turks in the further course of Graeco-Turkish hostilities, the French and Italians were seen to supply the Kemalist forces with arms and ammunition, whilst denying to Greece the right to search vessels engaged in this obviously un-neutral trade. But the gradual collapse of Allied unity of action only jumped to the eye with the final collapse of the Greek armies. Then, indeed, in the presence of a Turkish triumph, far more decisive than had probably been foreseen by our Allies, and certainly quite unforeseen by the British Prime Minister, who had only recently given fresh and cordial expression of his confidence in the staying powers of the Greek army, a final effort was made to restore the long-lost unity, though it could now serve no other purpose than to save appearances. Even so Great Britain was left alone to take the military and naval measures which the British Government professed to deem imperative in order to avert an immediate rush of victorious Turkish armies across to Constantinople and into Thrace. Greece was pitilessly abandoned to her fate and the Mudania Convention registered the surrender of the chief Allied war aims and the resurrection of a militant Turkey. . . .

"To what account will she turn the new lease of life which she has so strangely been allowed to recover? Her record in the past affords no ground for any sanguine expectations, nor do the circumstances to which she owes her recovery. . . . Turkey is again mistress of her own destinies—more so perhaps than at

any time in the last two centuries of her history—unless in the intoxication of victory her new rulers place a more intolerable strain than they have ever done before on the inexhaustible patience of a war-worn Europe. . . . But even if she may still be credited with sufficient self-restraint not to jeopardize prematurely the strong position which she has been allowed to recover since the end of the Great War, the use which she will ultimately make of it is a great and fearful problem which none of those who share the responsibility for her resurgence can contemplate without shame, or who have studied her past history without grave apprehension."

This may be taken as the point of view of those who supported the anti-Turkish policy. We may pass from it without comment, except to inquire tentatively what had become of the sacred principle of Self-Determination for victors and vanquished alike in the case of the Turkish Moslems? Our only concern is to judge between the political wisdom of a Government holding such views and of Lord Reading, who was prepared to "surrender" this aggressive policy in the interests of the Indian Empire. To insinuate that one of the Allied war aims was the destruction of the Turkish power is nonsense. Had it not been for the incident of the *Goeben*, had Turkey been constrained to throw in her lot with the Allies, or even to remain neutral, the Allies would have made even more extravagant and hollow promises to the Turks than they did to the Arabs.

Lord Reading had made up his mind, early in 1922, that the British Government must somehow be made to realize the way in which their policy was regarded by the Indian Moslems. It was no question of any surrender to agitation. The Moslem

community as a whole had showed itself remarkably impervious to penetration by extremist doctrines. In the Viceroy's eyes the danger was, that the educated and deeply religious section of Moslem opinion, in many respects the backbone of India, should lose its respect for British wisdom and integrity and so play into the hands of Ghandi and his followers. The Powers were about to embark upon the well-staged and widely-advertised comedy of the Geneva Conference, which had for one of its main objects the revision of the Treaty of Sèvres. But between their professions and their actions there was a wide and ludicrous gulf. The Greeks, who were supposed to be acting as the policemen of Europe, had been ordered with much demonstration of authority, to evacuate Smyrna. With her previous experience that Europe did not really mean what she said, or, if she did, that she was unlikely to take any active steps to enforce her orders, calmly disobeyed, and continued her preparations for a new offensive in Anatolia. The Indian Moslems can scarcely be blamed if they believed that the proposed revision of the Treaty of Sèvres was pure make-believe, and that the intention of the Powers, and especially Great Britain, was to support Greece in a final effort to destroy the power of the Turks.

On March 7th, 1922, Lord Reading, in his official capacity, and speaking with the whole weight of his authority as Viceroy and Governor-General, sent the following telegram to the Secretary of State :

" On the eve of the Graeco-Turkish Conference we find it our duty again to lay before His Majesty's

Government the intensity of feeling in India regarding the necessity for a revision of the Sèvres Treaty.

"The Government of India are fully alive to the complexity of the problem, but India's services in the war, in which Indian Moslem troops so largely participated, and the support which the Indian Moslem cause is receiving throughout India, entitle her to claim the extremest fulfilment of her just and equitable aspirations.

"The Government of India particularly urge, subject to the safeguarding of the neutrality of the Straits, and of the security of the non-Moslem population, the following three points, namely:

"1. The evacuation of Constantinople.

"2. The suzerainty of the Sultan in the Holy Places.

"3. The restoration of Ottoman Thrace (including Adrianople) and Smyrna.

"The fulfilment of these three points is of the greatest importance to India."

This telegram was issued for publication by the India Office, prefaced by the announcement that, "After consulting with all the Provincial Governments, the Government of India have telegraphed to Mr. Montagu as follows." Whether or not Lord Reading intended the telegram for publication is doubtful. It immediately became apparent, at any rate, that Mr. Montagu had published it without previously consulting his colleagues. From every point of view, except that of Mr. Lloyd George, its publication was of inestimable benefit. It demon-

strated to the British public, already beginning to grow restive under the growing conviction that in his blind support of the Greeks the Prime Minister was "backing the wrong horse," that there was much to be said on the other side. It clearly proved to the Indian Moslems that the Indian Government was taking every possible step to place their views before the British Government. But Mr. Lloyd George, the champion of the Greeks and of the old discredited "bag and baggage" policy, professed to be furious. Probably, as a matter of fact, Mr. Montagu's unauthorized publication of the telegram furnished him with an opportunity which he had long been seeking. He was a man whose fertile and enthusiastic brain loved to adopt one subject after another, and to pursue it to the exclusion of everything else. At the moment, the Near Eastern policy of the Government occupied his sole attention. India was relegated to the background and he regarded its problems as of secondary importance, to be dealt with later and settled out of hand when he could find time to do so. Protests from India against his cherished policy of the moment were therefore an annoyance, if not an impertinence. Here was a heaven-sent excuse for giving India a rap over the knuckles, for putting her in her place and showing her that it was no part of her duty to make suggestions to the British Prime Minister. That this appreciation of his feelings, and indeed of certain of his colleagues, is no exaggeration is shown by Lord Curzon's remark in the House of Lords, when he dismissed the incident of the telegram with the contemptuous words that "a subordinate branch

of the British Government six thousand miles away had dictated to the British Government what lines it ought to follow in Thrace."

Mr. Lloyd George was not slow to act. Mr. Montagu's action was represented as an offence against Ministerial discipline, and his resignation followed within a few hours. Although the weight of the blow fell upon the Secretary of State, there was no doubt that it was directed towards the Viceroy. But Lord Reading could not be so easily disposed of. His reputation was too great, and the knowledge of his talents too world-wide, even for Mr. Lloyd George to attack him with impunity. He stood to his guns, and insisted upon his right and his duty to advise the British Government upon the subject. He remained firmly seated in his Viceroyalty, his reputation, both in England and India enhanced by the bold and fearless course which he had taken. It is only necessary to add that subsequently, at Lausanne, his views prevailed.

Consideration of this phase of Lord Reading's action during his tenure of the office of Viceroy may be concluded by three quotations, which exhibit the points of view of the individuals concerned. The first is an extract from Mr. Montagu's letter to the Prime Minister of March 9th.

"I have been fully seized of the grave difficulties which have resulted from the Treaty of Sèvres in India, and I felt it to be my duty to do everything in my power to support the Government of India. When, therefore, I was assured that the Government of India regarded this matter as one of the greatest urgency, and when I considered their request in this and in all its aspects, with the recollection of the many decisions on every class of subjects which the Government had found it inevitable to take

without discussion in the Cabinet, I felt and feel that I was justified in the action which I took. I believe that there is much to be gained and little to lose by publicity in these matters, and that that was the reason why the representatives of India had been given up till now the fullest freedom in expressing their opinions."

The second quotation is from a speech by Lord Reading in reply to representations of the North-West Province at Peshawar on April 6th.

"As regards the revision of the Treaty of Sèvres I have, as you are aware, let no opportunity pass of placing before His Majesty's Government the demands made by responsible Moslem opinion in India and of urging that the fullest consideration should be given to their sentiments in the settlement of these problems. I shall not fail to convey to Mr. Montagu your regret at his resignation, and your expressions of appreciation and gratitude for his efforts on behalf of the Moslems of India. My own views have already been publicly stated. I deeply value the tribute paid by you, the representatives of a pre-eminently Mahomedan Province, renowned as a stronghold of Islam's traditions, to my endeavours to help the Moslems in India in the trouble which the Great War brought in its train for them. I have always cherished it as my privilege and recognized it as my patent duty to impress the views of responsible Moslem opinion in India upon His Majesty's Government. I am now fully acquainted with the views of His Majesty's Government upon recent events, and I am sure that you will be glad to know that no question has arisen between His Majesty's Government and me, as Viceroy, or my Government regarding the propriety of either my own or my Government's action in this or in any respect. Let me say that I take the fullest responsibility for the telegram sent, not only because I am the head of the Government of India, but because the proposal originated with me. I have also had it at heart to allay, by open statement of our action, wherever this was practicable, any misgivings which Moslems in India may have felt as to the steps taken to bring their views to notice in the proper quarter. The sole object my Government had in view in desiring to publish the

telegram was to acquaint those interested in India with the action taken by the Government of India, but inasmuch as I fully appreciated that publication might affect the international situation, we requested the assent of His Majesty's Government.

"Here again no question has arisen between us regarding this action. His Majesty's Government have declared that not only was my Government entitled to keep them in England acquainted with Moslem sentiments, and to impress them as forcibly as we could, but also that my Government acted with constitutional propriety in requesting His Majesty's Government's assent to the publication, and through the proper channel of communication, the Secretary of State. My Government's desire was to obtain a consideration of Indian Moslem aspirations and their fulfilment in so far as they were considered just, equitable and reasonable. His Majesty's Government have made it plain that Mr. Montagu's resignation has not affected their policy, either in regard to the Treaty of Peace, or to the Reforms, or otherwise. They have already stated that they will not fail to give due weight and full consideration to the representations made by the Moslems of India, in so far as these are compatible with justice, and their obligations to their Allies and to other nations. I trust that the difficult question is now approaching solution, and that peace in the Near East may soon be brought about. I am confident that when the final history of these negotiations comes to be written its pages will leave no doubt that Great Britain has been guided by that desire of justice and sympathy with the Moslem elements in the British Empire which has been a traditional feature of her policy."

The third quotation is from the work already cited and may be taken as a fair exposition of the views of those who were opposed to the policy of Lord Reading and the Government of India.

"In India itself the pro-Turkish agitation had assumed increasingly menacing proportions, especially after Ghandi, who professed to see in the Khalifate movement a 'splendid manifestation of religious faith,' threw over it the mantle of non-co-operation and enlisted for it the support of his Hindu extremist

following. Rioting and bloodshed ensued, and the rising of the Mahomedan Moplahs on the Malabar coast, of which the unfortunate Hindu population had to bear the brunt in wholesale massacres and forcible conversions to Islam and other even more cruel atrocities, showed that Mahomedan fanaticism was capable of no less frightfulness in India than in Turkey. The Government of India, though constrained to take action against the brothers Mahomed and Shankat Ali for open attempts to tamper with the loyalty of the Mahomedan sepoys, persisted in its endeavour to placate Indian Mahomedan opinion by professing marked sympathy with Turkey, and Lord Reading, who had succeeded Lord Chelmsford in the Viceroyalty, continued publicly to advocate the revision of the Treaty of Sèvres. In this unedifying conflict of views between the Government of India and the Imperial Government, who still stood formally committed to the Treaty which they had signed, Lord Reading knew that he could rely on the support of the Secretary of State for India, Mr. Montagu, and the publication by Mr. Montagu of a despatch from the Government of India, in violation, it was alleged, of the canons of Cabinet procedure, merely served as a pretext for his dismissal from office by Mr. Lloyd George, without involving the resignation of the Viceroy, at whose pressing instance the publication had taken place. Largely as the consequence of the pro-Turkish agitation in India, and partly as a reaction produced by trustworthy reports of massacres perpetrated by the Greeks themselves in Asia Minor, there was a considerable revival of pro-Turkish feeling even in England."

CHAPTER IX

Indian Problems

WE may turn from this necessarily brief sketch of Lord Reading's actions in regard to the attitude of the Indian Moslems to a consideration of his dealings with the other great problem which confronted him, the general unrest produced by the propaganda of the agitators. At first, as we have seen, he felt justified in expressing a guarded optimism as to the future, but as the year 1921 wore on, and the situation showed little sign of improvement, he was compelled on more than one occasion to utter grave warnings to the effect that the Government was determined to proceed with the task which lay before them, whatever methods the extremists might adopt. On July 7th, addressing a deputation of the United Provinces Liberal Association at Simla, he spoke more plainly than he had hitherto done.

"You seek self-government for India within the British Empire. I am here as His Majesty's representative to help you by constitutional means to attain it, but the pace will not be accelerated, nor the end reached, by lawless or unconstitutional action. On more than one occasion I have already expressed the determination of my Government to maintain

order, to vindicate the law and to protect peaceful and law-abiding citizens. We should be false to our trust if we failed in this respect. Although we recognize this primary obligation upon us as a Government, we are supremely conscious of our duty to ascertain the causes of the discontent of the people and to strive to our utmost capacity to remove legitimate grievances. There seems no difference of opinion between you and my Government in this respect. Now, generally speaking, in the remedies you suggest, you advocate a steadfast endeavour by the Government and their officers to substitute justice for prestige as the rule of conduct. I need not dilate upon the intense desire of my Government to do justice, but justice cannot be substituted for prestige, for the prestige of Government must depend for its existence upon justice, which is the foundation of the influence and authority of Government. But I am entirely in agreement with you if by this language you mean, as I understand you to convey, that Government and their officers must regard justice, and not the force behind Government, as the guiding factor in their conclusions and in their actions. Again you seek to prevent oppression by subordinate officials who come into contact with the people in their daily lives. You will not need my assurance that we are here in complete accord, as also in your desire for the promotion of social and economic well-being. You are good enough to express your belief in my powers to solve these problems. I thank you for your confidence, but I become daily more conscious of the difficulties that confront my Government. It is essential to under-

stand the complexities of the problem before the remedy can be devised or applied. Believe me, I am not so blind to daily events as some persons think and others would have you believe. I watch to the best of my ability the daily occurrences, and am well aware that incidents happen at times which are quite unjustifiable, and rouse the indignation that always follows upon injustice. Such acts are wholly unpardonable, either morally or politically, but I believe they are becoming rarer, and I trust will daily tend to disappear. . . . Believe me, I am profoundly conscious of the necessity of impressing the public mind with my Government's earnest desire and determination to do even-handed justice as the basis of its political actions. I will ask you, however, to remember, if you find me to-day cautious in expression, that I have been here only three months, and that I should deeply deplore using language of promise which I could not in the future justify by action."

In November, addressing a deputation of the Punjab Chamber of Commerce, Lord Reading took the opportunity once more of emphasizing the determination of the Government to administer justice with a firm hand. "If you wish to develop material prosperity and in that way to ensure tranquillity and contentment it is essential, indeed it is axiomatic, that order must be maintained, and that peace must be preserved. Without order there is no confidence, and there can be no material prosperity unless there is confidence in the security and tranquillity of the people. I wish to take this opportunity of impressing upon you that the Govern-

ment of India will spare no effort to protect peaceful, law-abiding citizens against violence, or coercion, or intimidation, or other breaches of law. I shall not dilate upon this subject, but there is to-day a natural and legitimate desire on the part of the vast majority of the people that the law should be respected and observed. I cannot but think that in some quarters there is a misconception of the position. The Government of India are very conscious of their power and their strength, and they have, I verily believe, the support of all law-abiding citizens of India. It cannot fairly be said that we have abused this power. Indeed, we are sometimes criticized for not having sufficiently exerted it, and I readily admit that we have sought to avoid action which might either be misconceived or misrepresented as too severe, or as provocative, but recent events have made it imperative that the full strength of the Government should, if necessary, be exerted for the purpose of vindicating the law and preserving order. In some quarters—I shall not designate them, they are too well-known—intimidation, and its consequent coercion—which is only another form of violence, and is, of course, unlawful—are practised, and it must be said with considerable effect. This conduct cannot be permitted and must be stopped. Proper precautions will be adopted and all necessary steps taken to protect the peaceful citizen and to give him that security to which he is entitled, and to bring the wrong-doer to justice. The peaceful citizen wishes to carry on his own business, his own pursuits, his own avocations without improper interference or molestation by others with whom he

may not be in agreement. We have no desire to interfere with the lawful activities of political parties, however opposed to us. But although that is our view, and although we are most anxious, as I have repeatedly said, to redress all legitimate grievances and to remove the grounds of popular discontent, yet we cannot allow any political activity to impose its will upon the country by violence, intimidation, coercion or other unlawful means. I have therefore taken this opportunity of telling you what is, in this respect, in the minds of the Government of India, and of assuring you that the Government, of which I have no doubt that you are keen critics, will use its efforts to ensure that every man may carry on his lawful pursuits in his own way, and at his own will, and you may rest satisfied that all necessary steps for this purpose will be taken."

In a speech to a similar deputation a month later, the Viceroy dealt rather more fully with the nature of the problem which confronted him. "I confess that when I contemplate the activities of a section of the community I find myself still, notwithstanding persistent study ever since I have been in India, puzzled and perplexed. I ask myself what purpose is served by a flagrant breach of the law for the purpose of challenging the Government and in order to compel arrest. As I understand it, that is the position. If I am wrong, I would gladly learn. But my appreciation of the position is not that persons are being arrested for breach of the law in some stress of passion or loss of control. It is the opposite. These are organized attempts to challenge the law. I will assume that those who advocate

this course are actuated by earnest and good purpose. But what object can be served? What is to be the result of it? Is it thought that by challenging the authorities the Government must change its course? I do not pause to ask, because this is a far wider subject, which I have not the opportunity of discussing with you this morning. But I do ask myself and you and any who may choose to read what I am saying, what benefit is served to India by these challenges? The authorities must enforce the law, otherwise the community ceases to exist as a civilized community. The authorities are bound to take notice of those who place themselves in defiance of the law, otherwise how can the law be enforced against others like the common criminal who seeks to enter your house or to the man who seeks to outrage your most sacred possessions? What answer can be made? The law is the same for all persons, and so long as the law exists it must be obeyed, and if it is publicly challenged there can be but one answer, however eminent, however distinguished, however earnest and sincere the person may be who has set to work to make the challenge. There are misguided people who think that a Government takes a delight in arresting citizens. The very opposite is the case. The Government is happiest that has to make no arrest, certainly no arrest for political actions. For myself it fills me with regret every time that I hear that a citizen has been arrested who, through misguided effort, has come into conflict with the authorities. I find no satisfaction. On the contrary, I do find great dissatisfaction, but, let me add, that will not sway me or

the Government which I represent one hair's breadth from the policy which we have mapped out. We must continue this, otherwise you will be entitled to say to those who are at the head of the administration of India, or of the Provincial Government, that we are failing in the elementary duty of Government, which is to preserve law and to see that the rights of others are respected. I have already said in the past, and I repeat, lest my words be misinterpreted, that notwithstanding we must enforce the law, there is no desire, I am quite sure, on the part of the Government of Bengal, and certainly there is none on the part of the Government of India, to stifle criticism, to prevent unfavourable comment, or even to hinder opposition to Government. There are recognized ways in which those who take different views may express them and may make them felt, and I shall be very sorry indeed if the time ever comes, which it certainly never could so long as I am at the head of affairs, in which there would be any attempt to stifle criticism or opposition of a legitimate and constitutional character. But when that is said it cannot be, if we are to proceed upon the path of law, that those who take a different view are to be permitted to enforce their will by unlawful means which never can be recognized as lawful in any civilized country, and all I desire to say to you to-day, gentlemen, is, conscious as I am and always must be of the responsibilities which devolve upon us who are entrusted with the administration of the affairs of this country, that I see the path very clearly marked out. We must pursue our own policy, doing what we honestly and conscientiously

believe is right, whether it receives praise or whether it receives blame."

On December 21st, a deputation, representative of the more moderate of the disaffected elements, and including such persons as Mr. Malaviya and Mrs. Besant, waited upon the Viceroy, with the object of inducing him to call a Conference to determine the remedies which should properly be applied to the situation. The Address presented by this deputation is interesting, from the glimpse it reveals of the incoherency of the aims of the opponents of the Government, and their utter ignorance of practical politics. If any justification were needed for the withholding of immediate self-government from India, the attitude of this deputation, and the almost incredible ignorance displayed by its members, presumably representative of the better educated among the nationalists, this address alone would furnish it. After alluding to the fact that co-operation between the Government and the people of India no longer existed, the address continued by criticizing the reforms, and demanding immediate self-government.

"Your Excellency is aware that, while a large section of the people regard the measures which have been introduced as inadequate and unsatisfactory, and while another section have co-operated with the Government in working the Reforms, both are agreed in asking that Swaraj, or full responsible Government, should be established as speedily as possible. Great has been the awakening among the masses during the last few years. They have begun to take an active interest in these public questions.

Statesmanship demands, if we may venture to say so, that a large-hearted effort should be made to understand clearly, and as far as possible to meet, the wishes of the people in respect of problems which are deeply agitating the public mind. The agitation which has been carried on with a view to securing a redress of these grievances has lately assumed an acute phase. We deeply regret that this has coincided with the visit of His Royal Highness the Prince of Wales, and that it has marred the national welcome. In these circumstances we believe that we are voicing the opinion of large sections of the population when we urge that Your Excellency should be pleased to invite the leading representatives of the people to a conference under your lordship, to take counsel together, and make practical suggestions and recommendations concerning the remedies which should be adopted. . . . Whatever our present difficulties may be, a considerable section of the public are anxious that His Royal Highness the Prince of Wales should be received with the respect due to his exalted position. We have every hope that the measures we recommend will help largely in allaying public irritation, and in restoring confidence and goodwill among all sections of the population. . . . A solution of the situation which may be easy of accomplishment to-day, will become much more difficult should the present tension continue, and increase, and as we fear, precipitate matters to a crisis."

Although, in the light of this sort of language, Lord Reading must have despaired of finding any common ground with the members of the deputation

along the lines of reasoned argument, he replied to them very patiently and at some length. He began by pointing out that the first condition of any negotiations between the Government and those who professed to represent nationalist opinion must be a cessation of lawlessness.

" The tenor of your address implies your recognition, in which I cordially agree, of the need of a calm and serene atmosphere for a conference. Indeed, in my judgment, it is impossible even to consider the convening of a conference if agitation, in open and avowed defiance of the law, is meanwhile to be continued. Unfortunately, I look in vain in your address for any indication that these activities will cease. . . . I do not know from the address presented to me what view is taken by the leaders who are responsible for non-co-operation activities, in the sense that I find no assurance from them that these activities will cease if a conference were to be convened. I am asked, without such an assurance, to withdraw Government measures called into operation by Government under an existing law for the protection of law-abiding citizens and to release those arrested for defying this law."

In explanation of this passage it should be mentioned that the deputation had asked for the suspension of the operations of the Criminal Law Amendment Act and the Seditious Meetings Act as a preliminary to their proposed conference.

Lord Reading continued : " I cannot believe that this was the intention of the deputation when originally suggested, for it would mean that throughout the country intimidation, and unlawful oppres-

sion and other unlawful acts should be allowed to continue whilst Government action to maintain order and protect the law-abiding citizen would be largely paralysed. I need scarcely tell you that no responsible Government could even contemplate the acceptance of such a state of public affairs, neither can I really believe that you ever intended it, for it would suggest that Government should abandon one of its primary functions."

Turning to the question of Reforms, the Viceroy demonstrated as gently as possible under the circumstances the futility of the deputation's demands. " One further word upon the Reforms. Let us see how we stand, because, as I understand it, the view presented is that in the main it is the desire that Swaraj, complete Swaraj, should be given as speedily as possible. The history is so well known to you that I only recall to you the one fact, that the legislatures have only begun to function this very year, and the demand is for a more extended and complete Swaraj ; let us examine the facts. Not only have the reforms been granted, but they are actually in operation. It cannot yet be said that they have been completely tested, and although I can sympathize with those who desire that in the future, as soon as it can be properly and safely done, there should be an extension, surely there is not sufficient reason in this respect for an acute crisis, as is suggested in your address. But I will not analyse further, I would ask you who represent various shades of opinion to consider the present situation. I have already told you of my Government's dislike of arrests and imprisonments. I

know that you yourselves have strong feelings on the subject. You tell me in the address that we are proceeding to an acute crisis. It may be that we may have a more disturbed condition of affairs than at present. If the law is defied, whatever the reason, all the incidents that unfortunately accompany a challenge of the law may quickly follow. I appeal to you to observe the conditions to-day and in the future and urge that we should all seek a high level above party or political advantages, otherwise we shall all be failing in our duty to India.

"I remind you that whatever reforms may be desired in the present constitutional system, they can only come through the British Parliament. The only constitutional method, the only peaceful solution is by the British Parliament amending the Government of India Act. Therefore, it is so important that a proper impression should be made upon the British Parliament and the British people who are represented by that Parliament, for the vast majority of the people of India are loyal to the Crown whatever their views may be about other political controversies. His Royal Highness the Prince of Wales will arrive in Calcutta within the next three days. He has nothing to do with the political controversies which are agitating us at the moment. Yet every attempt is being made to prevent the success of his visit. I shall not discuss or characterize those attempts. But I must utter the warning that every man who lends himself to an affront to the Prince of Wales is doing incalculable injury to India and her fortunes in the future. We hold His Royal Highness in deep affection and

admiration. Apart altogether from the personal aspect an affront to the Heir Apparent, when he comes to India to make acquaintance with India is an affront to the British people, for the Crown with us is beloved by the people, and when I remind you that it is from those British people that any amendment must come to alter the constitutional system of India, I trust I shall have shown how necessary it is to cultivate good relations between the British Parliament and our legislature here; between the British and the Indian peoples. Let me leave you with this last appeal, that we may together, each in his way, continue, notwithstanding apparent discouragement, to try to maintain a high level for the good of India. If we do, there will not only be no insuperable obstacle, but I believe it would be possible to arrive at conditions of peace and tranquillity. Notwithstanding that we have not been able to arrive to-day at the results you wished, I trust that we shall have established relations, or continued them, because they already exist in many cases, whereby we may still work together, with a belief in each other, notwithstanding that we may differ in opinion, for the welfare of India and India's people."

Realities of any kind being anathema to the political visionary, Lord Reading's firm and reasonable words served only to exasperate still further the extreme party among the nationalists. The boycott of the Prince of Wales' visit was resumed with redoubled intensity, and every effort was made to prove that the national Indian party, being completely devoid of the elements of political

wisdom, was unfitted for even the smallest part in any scheme of self-government. Far from complete Swaraj being visible upon the horizon of possibility, it seemed that in granting the reforms recommended in the Montagu-Chelmsford Report the British Government had taken too optimistic a view of the capacity of the Indian people to bear even a limited share in the government of their own country.

The Viceroy's warning was speedily justified. The behaviour of the nationalists during the visit of the Prince of Wales produced such a powerful reaction in England that it startled even Mr. Lloyd George from his preoccupations. He declared in the House of Commons that the Montagu-Chelmsford reforms, as embodied in the Government of India Act, were in the nature of an experiment, and that it remained to be seen whether a system adapted to Western needs was quite suitable or not for India. In other words, as Lord Reading had previously pointed out, the Reforms were in force during an experimental period, and were subject to repeal should they be found unsatisfactory in operation.

This warning, thoroughly justified as it was, was proclaimed by the extremists as yet another example of the perfidy of the British Government. The Viceroy found himself overwhelmed by a torrent of abuse, of himself personally, of the Government he represented, of everything British. So far as the personal element was concerned, he remained unmoved, although it must have been a bitter blow to a man of his temperament, knowing himself so thoroughly the advocate of India and the Indians,

even to the extent of incurring hostile criticism on that score in England, to find his efforts so wilfully mistaken. As regards the British Government, he endeavoured once more to make the Nationalists see reason, although by that time he must have been fully convinced of the hopelessness of the task.

On August 19th, 1922, a deputation of protest against Mr. Lloyd George's speech waited upon him. Not only did this deputation complain of the words already quoted, but they professed indignation at the Prime Minister's reference to the British Civil Servants in India. The Prime Minister had said: "Whatever the success of Indians, either as Parliamentarians or Administrators, I can foresee no period when they could dispense with the guidance and assistance of a small nucleus of British Civil Servants and other British officials in India. The British Civil Servants are the steel frame of the whole structure, and I do not care what you build on, or add to it, if you take that steel frame out the building will collapse."

"Coming as these pronouncements do from the head of His Majesty's Government," proceeded the address of the deputation, "and inconsistent, as they obviously are, with the declared policy of the British Parliament as embodied in the Preamble to the Government of India Act of 1919, they have very naturally created feelings of grave concern throughout the length and breadth of India. Your Excellency, at a time when the British Empire was engaged in a life-and-death struggle, when India's sons had demonstrated their devotion to the British

by shedding their life-blood on the battle-fields of three continents, the then Secretary of State, speaking on behalf of His Majesty's Government, made a pronouncement of policy in the House of Commons on August 20th, 1917, which has been rightly characterized as the Magna Charta of India . . .

" This epoch-making announcement was correctly characterized by the authors of the Montagu-Chelmsford Reforms Report as the most momentous utterance ever made in India's chequered history! According to them it pledged the British Government in the clearest terms to the adoption of a new policy towards three hundred millions of people. In order to give effect to this solemn pledge the Right Hon. E. S. Montagu came out to India, and, as a result of the joint inquiry held by him and His Excellency Lord Chelmsford, a scheme of Reforms was formulated, which, having been carried through the two Houses of Parliament, finally assumed the form of the Government of India Act, 1919.

" The Preamble of that Act reproduced verbatim the declaration of policy made in 1917, which thus received the final sanction of the British Parliament. At the inaugural meeting of the Reformed Councils, brought into existence under the provisions of that Act in February, 1921, His Royal Highness the Duke of Connaught conveyed to the Indian Legislature, and through them to the people of India, a gracious message from His Majesty the King-Emperor, of which the following extract is of particular significance in connection with the object with which we have ventured to trespass on Your Excellency's

valuable time to-day: 'For years,' said His Imperial Majesty, 'it may be generations, patriotic and loyal Indians have dreamed Swaraj for their motherland. To-day you have the beginning of Swaraj within my Empire, and the widest scope and ample opportunity for progress to the liberty which my other Dominions enjoy.'

"It is unnecessary for us in this address to multiply quotations from speeches delivered by responsible Ministers of the Crown in England, as well as by His Excellency Lord Chelmsford in this connection. The Declaration of 1917, the Preamble to the Government of India Act, 1919, and His Majesty the King-Emperor's gracious message are conclusive of the fact that the scheme of Reforms, far from being an experiment to be pursued or abandoned at will, constitutes a definite stage towards the goal of British policy as laid down by Parliament and confirmed by our gracious King-Emperor. These Reforms have already been carried into effect. We are nearing the fourth session of the Reformed Councils, and the manner in which the representatives of the people in those Councils have discharged their responsibilities to their King and country have already received the welcome approval of two successive Viceroys of India. Indeed, even the Prime Minister, in the very speech with reference to which we have ventured to request Your Excellency's permission to present this address, has admitted that even during the short period that the Reformed Councils have been in existence 'there has been a very considerable measure of success in spite of the drawbacks which have

manifested themselves.' In these circumstances the Prime Minister's emphatic pronouncement, characterizing the Montagu-Chelmsford Reforms as an experiment, the suitability of which to Indian conditions, according to him, yet remains to be seen, has rightly created widespread feeling of deep disappointment and grave concern in all Indian Political circles. Your Excellency, no responsible Indian can be desirous of injuring the position of existing members of our Indian Civil Service or of depriving them in any manner of the emoluments which they at present enjoy. Moreover, we all recognize that for some time to come the presence of a British element in our Services will be conducive to the best interests of the Indian Administration. But for the Prime Minister to characterize the British element in our Services as the steel frame of the whole structure on which alone you must build, and the removal of which, according to him, must result in the collapse of the fabric, and to say he could see no period when India could dispense with the guidance and assistance of the British Civil Service, amounts to a denial of the basic principle of responsible Government. It is not surprising, therefore, that the Prime Minister's pronouncements have given rise to a fear lest in making them the Head of His Majesty's Government will be going back upon the solemn pledge given in Parliament on August 20th, 1917, and finally carried out in its adoption by Parliament in the Preamble to the Government of India Act of 1919.

"Your Excellency, as the Head of the Government of India, you are the guardian of the interests

of 315 millions of His Majesty's subjects in this country. You have already in many ways given proof of your generous sympathy with the legitimate aspirations of the people. Just at the moment when political conditions in India were steadily undergoing improvement, and the hearts of sincere well-wishers of Indian constitutional progress were full of hope, the pronouncement made by His Majesty's Prime Minister has created in this country a position which it is essential, alike in the interests of the Government as well as of the people, should be cleared up. The only means we venture to submit to achieve this desirable end is a clear declaration that His Majesty's Government have no intention of going back on the policy finally adopted in 1917 and 1919 of the ultimate grant of full responsible government to India and an authoritative reaffirmation of that policy. While entering our respectful but emphatic protest against the declarations made by the Prime Minister mentioned above, we earnestly appeal to Your Excellency to take the necessary steps to obtain such a declaration from His Majesty's Government in order to allay the fears which have profoundly disturbed the minds of all sincere well-wishers of peaceful progress in this country."

To this address Lord Reading replied at some length, and his words are of interest, both as expressing his own views upon the subject, and as forming an instance of the open and straightforward way in which he invariably dealt with those who laid their complaints before him.

"I have followed the comments and criticisms reflecting public opinion in India upon the speech

of the Prime Minister with close attention, and I have been distressed to observe that you and others have thought the language of the speech was in conflict with the declared policy of the British Parliament as embodied in the Preamble of the Government of India Act of 1919, and denoted a departure from the policy of His Majesty's Government announced in formal declarations and in His Majesty's proclamation. I can well understand that those who have come to these conclusions are, as you say, deeply disappointed and gravely concerned. Let me assure you that if your references were correct I should share your feeling and you would have my fullest sympathy; but in my judgment, and as I have understood the speech, there is no real ground for this sombre and almost sinister view of the Prime Minister's language."

Lord Reading went on to explain that in his view the speech was meant to serve two purposes, "the first to utter a solemn warning to those who, after the next Election, might be inclined to pursue the deliberate policy in the Legislature of paralysing the activities of Government by rendering it impotent and reducing administration to chaos. . . . You will remember that a section of those who are avowedly hostile to the Reforms advocate the plan of becoming members of the Legislature in order that they may destroy it and the reformed Constitution." The second purpose was to reassure members of and candidates for the Indian Civil Service, and to guarantee them a certain security of tenure. Finally, the Viceroy disposed of all possible causes of ambiguity. "On so grave a

matter there should not be room for the faintest possibility of doubt, and, therefore, I placed myself in communication with the Prime Minister, who authorized me to say that nothing in his statement to the House of Commons was intended to conflict with, or to indicate any departure from, the policy announced in the formal Declarations and His Majesty's proclamations. I trust therefore that in any future observations there will be no place for the suggestion that the speech either did mark, or was intended to mark, a change of policy by His Majesty's Government."

This conciliatory speech, reasonable as it was, did not satisfy the extremists. Indeed, at this time, it is certain that no possible action on the part of the Viceroy or his Government could have satisfied them. They were not really concerned with Mr. Lloyd George's speech or its implications. They had made use of it for the purposes of their own propaganda, and no doubt it had been of value to them in that light. The non-co-operation movement grew in intensity, and developed into a boycott of everything which could even remotely be supposed to have the support of the Government. The year 1923 saw an outbreak of open and concealed violence, which, under a less firm and common-sense rule than that of Lord Reading, might well have spread until it developed into open revolt.

In that year, too, Lord Reading was called upon to face a new storm, which, in its effects, was not unlike that which had its origin in the discontent of the Indian Moslems with the terms of the Treaty of Sèvres. The position of Indians in Kenya had

for long been a source of dissatisfaction with their compatriots in India, and this dissatisfaction was eagerly seized upon by the agitators as an additional weapon in their campaign against the Government. Without going into the details of this very complicated question, it may be said that the Indians who had emigrated to other parts of the British Empire demanded equality of treatment, as British subjects, with Europeans resident there. In May, 1922, Mr. Sastri, as representing India, had set out to visit the Dominions, and had received an excellent send-off by the Viceroy, who emphasized the importance of his mission. He conveyed to Mr. Sastri a message from the Secretary of State: "Before you depart for Australia, New Zealand and Canada at the invitation of the Governments of these Dominions as a representative of the Government of India, I wish to take the opportunity of expressing my sense of the high importance of your mission for India and the Empire. The eloquence and cogency of your appeals were largely instrumental in the success achieved by representatives of India at the Premiers' Conference last year, which placed on record a resolution recognizing the rights of citizenship of Indians lawfully domiciled in other parts of the Empire. The ready acceptance of that resolution by the Prime Ministers of the great Dominions which you will visit is a signal proof of the new status of equal partnership won by India through her efforts and sacrifices during the war in the Councils of the British Commonwealth of Nations.

"It will now be your task to extend and quicken the spirit of harmony and good-will, to consult with

LORD AND LADY READING. [*Topical Press.*

leaders of political thought in the Dominions and their constituent States and Provinces as to the best means and methods of giving effect to the objects of the resolution and to bring home to their peoples the evidence of India's worthiness of her new status and her consciousness of the common ideals and higher interests which she shares with them as an equal partner in the British Commonwealth of Nations. No one better qualified than you could have been chosen to undertake this difficult and important mission, on which I am confident you will achieve the greatest possible measure of success. You carry with you my most cordial good wishes."

To this message Lord Reading added a few words upon the object of Mr. Sastri's mission. "Let me briefly recall the reasons which led to Mr. Sastri proceeding on his mission to the Dominions. During the discussions in the Imperial Conference last year he represented the views of my Government and the aspirations of the people of India on the subject of the disabilities of Indians in the self-governing Dominions. With the concurrence of his colleagues and my Government he suggested that misapprehensions might be removed and a closer understanding and sympathy established if a deputation from India visited the Dominions and discussed the situation with the leading men. He expressed hopes that these conferences might lead to legislation to effect the desired changes. Who could doubt the wisdom of this idea? And I am glad to say that it was warmly welcomed by the Dominion Premiers, whom he is about to visit. . . .

"In these political negotiations patience is a great virtue. We must be patient. We have ground for trust, for I am confident that the seed Mr. Sastri sows will in the fullness of time bear the harvest which should completely satisfy our legitimate hopes. I am glad to inform you that the Commonwealth of Australia, his first destination, has sent through me to our honoured representative a most cordial message of welcome and an offer of hospitality as an honoured guest of the Dominion during his visit. He goes forth on India's mission to other parts of the Empire. India no longer stands outside the door when the Councils of Empire meet, but India, present at the Conference, is taking her seat as a partner in the Empire. Time was when the aspirations of her people led to agitation for some greater recognition of her place in the Empire.

"I wonder whether, even among the most sanguine, it was ever thought that within a period of a few years she would have attained the status she now enjoys and to which the Secretary of State's message bears eloquent testimony. India has made such rapid strides within the last five years that I sometimes doubt whether we have fully appreciated the distance she has travelled. As Viceroy, I naturally reflect upon her progress during this period. As Viceroy I am proud of it and am grateful to England for her recognition of India's position achieved through her efforts and through the sacrifices she made during the war."

There can be little doubt that Lord Reading's words were intended for a wider audience than the

one he was actually addressing at the moment. His references to India's position in the Empire must have been intended to reach the Colonial Office, with whom the settlement of the real grievance lay in the last resort. For it was not in the self-governing Dominions that Indians found the restrictions with which they found fault so much as in Kenya, a Crown Colony. The situation in Kenya was a particularly difficult one, owing to the fact that the Indians in the Colony already outnumbered the Europeans, and threatened to displace them from the healthiest portions of the territory. A meeting of the Indian community held at Nairobi in March, 1923, demanded "complete equality of status" with Europeans, and passed a resolution of protest against the proposals of the Colonial Office, which were in effect that certain limitations should be set upon the electoral powers and zones of colonization of Indian emigrants.

On July 21st Lord Reading met a deputation of members of his Council of State at Simla, which had waited upon him with the object of inducing him to make representations to the Home Government before the final decision was reached. "At the moment of addressing you I do not know whether His Majesty's Government has reached a decision, and if it has, what are its terms," he said. "My Government has quite lately been consulted upon certain points at issue, and has made representations in reply to the Secretary of State. I much regret therefore that I cannot speak to you with the freedom and frankness I should wish, and that I cannot enter into discussion with you regarding

the negotiations which have been, and, as far as I am aware, may still be proceeding. It has been publicly known for some time that a decision of His Majesty's Government will be announced in a very few days, and it is, therefore, not surprising that prophecies and rumours should reach you, although I am not aware of the exact form they have taken or of the information upon which they are based. It is natural, therefore, that your anxiety to obtain some forecast of the probable terms of His Majesty's Government's decision should be as keen as the intensity of interest in this problem among those who influence responsible Indian thought.

"I wish I were able to give you some indication of the probable conclusions of His Majesty's Government, but, as I have already explained to you, that is impossible at the moment. I can only say to you, that the Imperial Government is fully conscious of the importance to Imperial interests of the issues raised. You rightly observe that you need not elaborate to me the state of public feeling in India upon the question. We have been aware of it from the first, and immediately made communications upon it to His Majesty's Government. We have realized that it was not merely conditions in Kenya that were at issue, but that in certain aspects of the questions raised Kenya has come to be regarded in India as the test of the sincerity of the British advocacy and acceptance of the principle of equality of treatment of Indians with citizens from other other parts of the Empire, the principle formally recorded in a resolution at the Imperial

Conference of 1921, and of such far-reaching importance that it bound His Majesty's Government as also those Dominions which subscribed to it. It was a just recognition recorded with due solemnity of the claims advanced by India.

"You will realize that the solution of the Kenya problem is not so easy as at first sight appears to those who regard it from one side only. I am sure that you yourselves have understood at least some of the difficulties which have presented themselves to His Majesty's Government. Difficulties frequently occur in the applications of accepted principles to concrete facts. I do not believe for one moment that His Majesty's Government with whom the decision rests, will fail to act upon the principle accepted in 1921. His Majesty's Government are charged with the responsibility of administering the Colony. They have a paramount duty to its African inhabitants, who are by far the largest community. Equally, they are under an obligation, with due regard to their position as trustees for the African, to protect the interests of other communities. His Majesty's Government have never failed to recognize that they must act with justice to all communities, including Indians and Europeans. From all I have gathered from the Press and elsewhere, I have observed that during the discussion and negotiations proceeding in London, the opinion was gradually evolved and publicly expressed that in the present condition of the African population it would be unwise to make further advance at present towards responsible self-government. If this should be His Majesty's decision, and as a

result Kenya would remain a Crown Colony, I think this conclusion should be cordially welcomed by Indians. It should give them greater securities for the protection of their interests and of their rights of citizenship.

"There is one other aspect of this problem which is of momentous Imperial interest. Proposals have been advanced with great persistence and ability for a law which would, in effect, shut out Indians from immigration into Kenya. I find it difficult to believe that His Majesty's Government would be party to such discrimination in a Crown Colony. I refuse to accept the notion that His Majesty's Government would agree to a proposal which would, it appears to me, run wholly contrary to the general policy of the Imperial Government. But I must refrain from further discussion, as it is dangerous at this moment. I must ask of you at present to rest content in the knowledge that the views you have stated to me to-day are in substance those we have persistently submitted to His Majesty's Government as the opinion of India. That they are presented by you to-day gives added weight to them. I wish I could put all the facts before you. You would then realize that my Government have been in full sympathy with the general views of the Indian community, that it has never wavered in the representation of them to His Majesty's Government, that it has acted as the spokesman and advocate of Indian opinion and sentiment. In this connection, let me remind you that in my Council we have had the benefit of Indian colleagues sitting with us, not only assisting

us with their wisdom and judgment, but reflecting to us the intensity of the sentiment of India on those great Imperial questions. . . .

"You have referred to the powerful influences that have been brought to bear on His Majesty's Government and public opinion in England against the legitimate claims of India. We should, however, remember that powerful influences have been continuously exerted in support of India, and specially we should remember that throughout the long and difficult discussions we have had the full support of Mr. Montagu, and, after his resignation, of Lord Peel, who has been in active communication with me and my Government throughout the critical period. At one time after Lord Peel had become Secretary of State, we thought a decision had been arrived at which involved some compromise, but which was acceptable to us as a Government. It is not open to me to discuss its details with you at this moment. Unfortunately, the compromise never became effective, but this certainly was not due to any failure or omission of the India Office, for every effort was made on behalf of it by Lord Winterton, acting under the instructions of Lord Peel. I would ask you to reserve your judgment upon this and other questions relating to it and not to come to premature conclusions upon rumours or prophecies which are not founded upon accurate or official information. You may rely upon your representations being communicated forthwith to His Majesty's Government, where I trust, and indeed I am confident, that they will receive that consideration which is due to representations made by members of the

Council of State at a critical moment and on so serious a subject."

Within a week from the delivery of this speech, the decision of the British Government became known. Under what had been known as the Wood-Winterton Report, published in the previous year, considerable concessions had been made in favour of India immigrants in Kenya. The Government did not adopt all the recommendations of this report, but their proposals were in the nature of a compromise between the conflicting interests of the various sections of the Kenya populations. The Indian community was offered considerably greater advantages than it had hitherto enjoyed, and in less troublous times there is no doubt that its members would have gratefully accepted the new conditions. But, in reality, the Kenya Indians were merely a stalking horse of the extremist agitators, whose campaign was certainly most skilfully directed. Having used the Treaty of Sèvres as a means of causing ill-feeling between the Indian Moslems and the British Government, they turned to the Kenya question as a means of stirring up discontent among the Hindus. The announcement of the British Government's decision furnished them with their opportunity. It was in the nature of a compromise between the restrictions hitherto imposed upon Indians in Kenya and the granting to them of complete territorial and electoral freedom. The agitators were able to point out that here again was a manifest instance of breach of faith on the part of England. India and the Indians had been promised full and complete equality within the

Empire, yet, in a Crown Colony, where the British Government was not hampered by having to negotiate with any self-governing nation, the Indian community had been continued in a situation of inferiority.

This is not the place in which to discuss the rights or wrongs of the Kenya question. It has been agreed by those most competent to judge of the best interests of the Colony and its native inhabitants, who form the large majority of the population, that it should be administered and to a very large extent cultivated by Europeans. Since the Indians largely outnumbered the Europeans, the carrying out of this policy necessarily involved the imposition of certain restrictions upon the Indians, in the sense that their status in the Colony could not be exactly the same as that of Europeans. The grievances under which the Indians had previously suffered were almost entirely removed, but the great talking-point of the agitators remained. Their status was not to be one of full and absolute equality.

There can be very little doubt that Lord Reading, in his earnest and whole-hearted advocacy of the Indian cause, had allowed his desires and his ideals to outstrip the march of realities. He was a convinced believer, as the speeches made by him on so many different occasions have shown, that the time had already come when India was fit to take her place as an equal partner in the British Empire. He seems to have overlooked the fact that, in the eyes of the world, India was steadily demonstrating her unfitness even for the limited powers which she had been granted. His perception, viewing events

from the inside, showed him that the agitators formed an insignificant minority of the population, and that once their influence was countered, their dupes would return with relief to the normal duties of citizenship. But it is an unfortunate though inevitable fact that the abnormal is reported at length, and the normal passes unrecorded. To the average man, living remote from India and her problems, and reading only the long record of disturbance and outrage, it seemed as though the whole country were in a state of ferment, and that this condition of affairs was due to the failure of the experiment in self-government inaugurated by the Government of India Act. While self-government was thus demonstrated as a failure in India itself, it was only reasonable that those responsible for the administration of other countries should look askance at any proposals which would grant Indians equal powers with Europeans. India might have set foot upon the road which would ultimately lead to equality within the Empire. But, in the opinion of the great body of Englishmen, and of the citizens of the British Empire, the time was yet distant when she would reach the end of her journey. By their works shall nations as well as individuals be known.

The Viceroy had expressed undue optimism, the optimism of an advocate convinced of the justice of his case. The decision of the British Government, despite the fact that by it the position of the Indian community in Kenya was greatly ameliorated, was in effect a decision against his client's plea for equality of treatment. Lord Reading did not attempt to hide his disappointment

and concern. He declared publicly that "the news of the decision came to me and my Government, no less than to you, as a great and severe disappointment, for India has made the cause of the Indians in Kenya her own. His Majesty's Government have announced their decision and the Government of India must consider it and arrive at its conclusions. If submission must be made, then with all due respect to His Majesty's Government it must be made under protest."

The wording of this declaration, perhaps even more than its sense, aroused a storm of criticism in England. The Montagu telegram was recalled, and it was freely said that Lord Reading had once more set himself and his Government against the decisions of Parliament. Men had been so long accustomed to regard the Indian Government as a mere Department of State—in the words of Lord Curzon, "a subordinate branch of the British Government," that any protest on the subject of Imperial policy coming from the Viceroy in his official capacity seemed an unparalleled audacity. But Lord Reading's conception of his position was an entirely different one. He regarded the Viceroy of India as on a par with the Premier of one of the self-governing Dominions, since the Government of India Act had conferred the beginnings of self-government upon India, and, by virtue of this position, he felt himself entitled to enter his protest against a policy which he considered to be mistaken. His protest was made in no spirit of megalomania. It was not Lord Reading, the man, who spoke. Although his personal importance and prestige lent

a weight to his words and actions which had probably never before been at the disposal of any Viceroy, this circumstance was in his eyes purely accidental. He spoke as the mouthpiece of Indian opinion, with his usual fearless disregard of consequences, and his protest was the protest of India.

It was perhaps natural that his attitude should have been interpreted as one of challenge rather than of protest. Questions were immediately asked in Parliament as to what action the Government proposed to take in view of this declaration on the part of the Indian Government, which, it was suggested, was practically an act of defiance. An exchange of telegrams took place between the India Office and the Viceroy, and Lord Peel, in the House of Lords, was, as a result of these messages, enabled to make a statement. Speaking with the authority of Lord Reading, he pointed out that the latter's declaration had specifically stated that the Government of India must submit to the decision of the Imperial Government. Lord Reading had never intended to suggest that it was open to the Government of India to consider whether or not they would submit to the decision of His Majesty's Government. He had made it perfectly clear that there was no idea on his part or on the part of his colleagues to challenge the decision communicated to them by His Majesty's Government.

The extremist leaders of Indian national opinion were not satisfied with even so powerful a protest. Mr. Sastri, who in the course of his mission had reached England at the time of the announcement of the Government's decision, declared that India

could never accept the decision as final, and indulged in wild language threatening to stir up agitation and to intensify the boycott of England and everything English. The agitators had succeeded beyond their hopes in winning the support of a section of the population which had hitherto shown only a lukewarm sympathy with their campaign. The Government of India found it advisable to issue a considered statement, in which they reviewed the Imperial Government's decision, and expressed their wish that the principle of equal status of Indians in Kenya had been more clearly defined. Lord Reading, still eager on behalf of the interests of his client, was determined to leave no stone unturned to induce the Government to introduce the modifications which he so greatly desired.

The advent to power of a Labour Government in England was hailed with delight by the Indian nationalists. They believed that the whole British policy towards India would be completely and immediately reversed, and that they had only to express their most extravagant demands for these to be promptly gratified. Lord Reading's speech at the opening of the Central Legislature at Delhi in January, 1924, contributed to their disillusionment. He dealt with the subjects of the day at some length, and among them the Kenya question, and his remarks on this subject are worth quoting, since they show the result of his own efforts during the preceding months and also the continuity of policy pursued by the Imperial Government, notwithstanding the fact that its direction had passed into different hands.

"The position as regards the Crown Colonies has materially changed owing to the acceptance of the proposal for a Crown Colonies Committee to be appointed by my Government, which will confer with the Colonial Office on all pending questions, including Kenya. The late Prime Minister, Mr. Baldwin, has promised that there shall be full consultation and discussion between the Secretary of State for the Colonies and the Committee appointed by the Government of India upon all questions affecting British Indians domiciled in British Colonies, Protectorates, and Mandated territories. I hope for nothing but benefit from these discussions, and we shall gratefully take the fullest advantage of the opportunity offered. As regards Kenya, the views of my Government were explained at length by me in my last address to the Legislature and formed the subject of a Resolution issued by my Government in August last. While acknowledging the difficulties of the issues, and the great care and attention His Majesty's Government devoted to India's claims, we did not conceal our feelings of disappointment at the result, and we reserved the right to make further representations with a view to reopening these decisions when a legitimate opportunity offers. At the Imperial Conference, His Majesty's Government have given an assurance that while they can offer no prospect of the decisions being modified, 'careful attention will be given to such representations as the Committee appointed by the Government of India may desire to make to the Secretary of State for the Colonies.' This assurance gives us the oppor-

tunity we have been seeking and is a substantial gain.

"Following upon the decisions, statutory action has been taken as regards the franchise question in Kenya. The Kenya Government has treated Indians on the same lines as Europeans, and granted adult suffrage and given communal franchise. This method of working may be accepted, and it has now become law. It is open to our Committee, however, subsequently to make representations setting forth our contentions that there are grounds for an increase in the number of seats to Indians, and that in our view all voters should be registered on a common electoral roll. We shall continue to press our views by means of the constitutional channel opened to us by the assurance of His Majesty's Government. As regards immigration, the decision of His Majesty's Government was stated in the White Paper in the terms of a general principle only, and His Majesty's Government issued in addition an instruction to the Governor of Kenya to explore the matter further on his return to the Colony, and, in concert with the Governor of Uganda, to submit proposals to the Secretary of State for the Colonies for giving effect to that amount of control of immigration which the economic interests of the natives of both Dependencies require. When we received a copy of the ordinance which had been drafted by the Government, we took immediate steps to urge the postponement of the introduction and consideration of the Bill until the Government of India were fully able to present their objections. At the same time we strongly pressed that the Colonies

Committee, appointed by the Government of India, should also have an opportunity of examining the question of the restrictions on immigration embodied in the Bill.

"These representations were accompanied by a preliminary statement of our objections to the provisions of the Bill. We received in reply an assurance by telegram from Lord Peel, the Secretary of State, that the introduction of the Bill had been postponed at the instance of the Duke of Devonshire, the Secretary of State for the Colonies. His Majesty's present Government have now informed me that the late Secretary of State for the Colonies found the ordinance unsatisfactory and returned it to East Africa to be redrafted. At the same time, he called upon the Government of Kenya for certain information regarding immigration and for an explanatory statement respecting the measures proposed for the administration of immigration measures. His Majesty's present Minister for the Colonies will await the reply to these inquiries and the revised draft of the ordinance, and will be guided by further information received when these documents are before him. Meanwhile, he has given me an assurance that ample opportunity will be afforded to my Government to express their views and that he will give his earnest attention to any representations which the Colonies Committee appointed by the Government of India may desire to make regarding the measure, whether in the form of a Bill or of an enacted ordinance. I desire to express my deep obligations to the late and to the present Secretary of State for the Colonies for the consideration given

to the representations of my Government, which have received the continued support of Lord Peel and his successor. The steps taken are a strong testimony to the sense of justice and fairness with which His Majesty's Government have been animated in dealing with the proposals."

Meanwhile Lord Reading continued to combat, by firm Government and renewed attempts to make the agitators see reason, the suicidal policy of the extreme national movement. In a speech delivered during October, 1923, he dealt with the hostility which had been shown towards the Reforms, and particularly with the proposed boycott of the British Empire Exhibition.

"The ensuing years between now and 1929 will be of vast moment to the friends of constitutional government. For this reason, although while deprecating them, I am by no means inclined to regard them too seriously, I cannot view with complete unconcern the various suggestions and proposals that have formed the subject of discussion, indicating action that may be adopted when the newly elected Legislative Assembly commences its sessions. Doubtless much is said and planned in time of stress and excited controversy regarding future events which may not commend itself in calmer periods. Nevertheless, it may be useful to pause for a moment and to consider quietly and temperately the consequences if the threatened storm cloud did make its appearance and failed to disperse in the serener atmosphere it would meet in its journey.

"I refer to the subject to-night because I wish to

impress upon those who really cherish the cause of Reforms the necessity of avoiding any course which may encourage those—if there be any—who enter the Assembly for the purpose of wrecking the Constitution. If this purpose should exist and be pursued to its end, and, let us for a moment assume, with the full measure of success desired, it would achieve at its highest realization a paralysis of the Reformed Constitution. Please do not misunderstand me. I do not believe that it will happen, for I am convinced that there will be too great a sense of responsibility in the Assembly to permit it, but if it did, every true friend of Indian progress in parliamentary institutions could not fail to deplore it. Here, indeed, would be a check in the onward march, a severe blow would be dealt in India at the Reforms. And what will be gained? I do not pause further to analyse the possible situation; but I must add that even if the crisis did arise, it certainly would not paralyse Government, for you may rest assured that we shall be prepared to meet the situation. The Government of the country will be continued, the administration will be carried on as before, save that the Reformed Constitution will be in obeyance. If this should happen, I leave you to imagine the effect upon the British people and their representatives in Parliament, and upon those who have persistently striven for the institution of representative Government.

"In this connection I would also draw attention to the proposals for India's withdrawal from the Empire Exhibition and for the boycott of British goods. I am well aware of the wave of strong feeling

which caused many public men to express themselves emphatically and even vehemently upon the Kenya decision of the Imperial Government. . . . But I am troubled by these boycott proposals, not because of the material results which may be achieved, but again because of the effect which will be produced upon the British public and upon Parliament. If India should determine to throw away the money already spent and should refuse the great place allotted to her in the Exhibition, who would be the sufferer? Certainly not England and the Empire, but India, or rather those parts of India which insist upon withdrawing. A unique opportunity would be lost of bringing India's products to the notice of England and the Empire, of displaying her wonderful resources, and of quickening her development and increasing the welfare of her people. There is nothing to gain by a withdrawal, but everything to lose. The cause of Indians overseas will surely not gain in strength by action of this character. Reliance should rather be placed upon the justice of the cause and the arguments in support of it than upon a course of action which would completely fail in effect. These views equally apply to the proposed boycott of British and Empire goods. Attempts have been made in this direction in the past, and as we know have never succeeded. I do not for a moment believe that any better fate will attend the present venture if it should be pursued. But I do not to-night wish to discuss the projects of the movement, whether it fails—as I believe it must—or whether it succeeds, the cause of progress in India will be

injured. When passion is aflame, wisdom is often in peril.

"What is the purpose of these suggested boycotts? As I understand from the speeches delivered, it is to express resentment and indignation or to bring pressure to bear for the improvement of the conditions of Indians overseas and mainly as a manifestation against the Kenya decision. I know my countrymen, and I have no hesitation in asserting that these boycotts, whether successful or unsuccessful, will completely fail in their intended effect; but they will convey an impression which will certainly not advance the cause of India. I hope none will be misled. I have but one object in mind. It is, if I can, to prevent action which, I fear, must have a prejudicial effect on the interests and the progress of India."

Lord Reading returned to his warnings at the opening of the Central Legislature in January of the following year.

"The policy of the Reforms in India was introduced with the approval of all political parties in England, and all stand committed to it as the fundamental policy in relation to India of His Majesty's Government, however constitutional and apart from other political controversies which mark lines of division in Parliament. . . . Governments may, and doubtless always will, vary as regards details of administration, and may differ in opinion regarding the stages of progression and periods of advance, but the cardinal policy of the Reforms remains the same for all. It is the policy of the British Nation, and not of any party. I commend

these facts to the consideration of those, if there may be any, who may still regard the promises held out to be illusory and never to be fulfilled. . . .

" There is now a Government in England which numbers among its members some of the most ardent supporters of the Reforms and the most sympathetic friends of India. There is now a spirit in India, if I am to credit all I read, which is bent upon the destruction of the Reforms unless it immediately attains that which it is impossible for any British Government to grant forthwith; that is, complete Dominion self-government. . . . I cannot foretell the future, I do not know what it holds, but I cannot conceal from you that the political situation in India in its constitutional aspects causes me some anxiety for the future of the Reforms. I should be doing a disservice to India if I failed at this moment to give expression to my view, formed not only upon a hasty or cursory survey, but as the result of as profound study and reflection as I can bring to bear upon a subject of supreme interest to me.

" In October last I sounded a note of warning which I must repeat here. In the friendliest spirit, but in all gravity, I spoke with the object of presenting the picture of the future, as I then saw it, to those in India who had not failed in their support of the Reforms policy, although they had on occasion felt bound to oppose the actions of the Government. . . . I still wonder, as I wondered in October, what purpose beneficial to India will be served by any course destined to destroy the continuity of progress in the Reform movement. It is difficult to believe

that any responsible body of opinion can ignore the purpose it has in view, or can desire to check its creative activities and to risk the injury which must result to the fine fabric already in process of being woven upon its looms. Nevertheless, I gather that there is a disposition in some quarters to believe that the hands of the British Parliament can be forced and that a situation may be created which may impair the Reforms and thus cause Parliament to act contrary to their desire and better judgment. It may appear easy to impair, and even to destroy and recreate. Doubtless, destruction is always easier than construction. Violent resolutions have destroyed the institutions of nations. Neglect and apathy, in other cases, have induced their decay and extinction, but I beg you to remember that when influences of this nature have been set in motion, restoration and recreation become infinitely more difficult and sometimes impossible. These influences make no appeal to the British people, and the British Parliament would emphatically repudiate and reject them."

At the time when this warning was issued, the Indian political situation appeared very grave. The Swaraj party had obtained a greatly increased measure of support in the country districts of India, and it was apparent that popular feeling, whether spontaneously, or in obedience to the behests of the National propagandists, was becoming increasingly hostile to the scheme of government initiated by the Montagu-Chelmsford Commission. The educated classes in India believed that the country was ripe for a considerably wider form of self-government than

was possible under the dyarchy system, and they had managed to impress their opinion upon India as a whole. In January, 1924, it seemed as though constitutional experiment—for it must not be forgotten that the Montagu-Chelmsford reforms were professedly of an experimental nature—had failed, not through any innate defect, but owing to the refusal of the people to co-operate in the experiment. The only alternative was a return to the traditional form of Government, in which the Indians themselves had practically no share. Had this alternative been forced upon Lord Reading it is impossible to conjecture what the results might have been.

It was largely owing to the Viceroy's tact and personal popularity that this grave danger was avoided. Men, in India as elsewhere, had learnt by this time that he never refused to hear or to discuss any reasonable suggestion. But they had also learnt that he could not be played with. Tolerant and conciliatory though he might be, there were certain rigid barriers of principle beyond which he could be neither forced nor cajoled. Further, he could not be suspected of a secret longing for the return of India to purely British rule. He had come to India as Viceroy inspired with the determination to secure fair play for the constitutional reforms, and he had gone so far as to express himself as desirous of shortening the provision term which was to elapse before the grant of further concessions. The moderate among the Nationalist party knew that in Lord Reading they had a Viceroy whom they could trust, and who was prepared to trust

them as soon as they gave proofs of being worthy of his confidence.

The result was the practical abandonment of the policy of non-co-operation, which was in itself an event of the greatest importance to India. There was no question of any *rapprochement* between the Nationalists and the Government. Swaraj was still a vital force, the hatred of dyarchy and the clamour for complete self-government showed no signs of any weakening. But in future the issue was to be fought on constitutional lines, and the successful Nationalist candidates, or the majority of them, entered the Legislature, instead of, as previously, displaying their disapproval by standing aloof.

Certainly they entered it in no spirit of conciliation. Their avowed and publicly proclaimed object was "uniform, continuous and consistent obstruction, with a view to making government through the Assembly and the Councils impossible." The first result of these tactics was the rejection of the Finance Bill for the year. This was more than a gesture, as events proved. Since it was essential for the carrying on of the services of the country that the Bill should be passed, the Viceroy was forced to intervene and to give the Bill his assent over the heads of the Legislature. The incident was widely exploited by the Nationalists as a striking example of the meaninglessness of the dyarchy system. They pointed out that so long as the Government could over-ride the decisions of the Legislative Assembly, the so-called concessions towards Indian self-government were not worth the paper they were written upon.

But already signs of internal dissension were visible

in the nominally united front of the Nationalists. Divergences of opinion showed themselves in the Assembly between the Independents and the Swaraj party proper. During the summer of 1924 a section of the Nationalists actually voted with the Government upon a tariff measure, and throughout the year there was a tendency for the great offensive against the continuance in any form of British rule to become dissipated in all manner of side issues. Gandhi himself announced that he proposed to embark on a programme of social reform and efforts to achieve Hindu-Moslem unity.

The important element in the political situation was the abandonment of the policy of non-co-operation, and the diversion of the attack on the Government into constitutional channels. However uncompromising the Opposition might show itself to be, it was at least an Opposition, and as such, perhaps unconsciously, was gaining experience of the machinery of government. It was an indication, slight perhaps, but none the less significant, of the wisdom of Lord Reading's policy, and as such, it was generally accepted.

To the Viceroy himself the time seemed ripe for further inquiry into the process of transferring the government from British to Indian hands. The first step was the appointment of a Commission under the presidency of Sir Alexander Muddiman, in order to inquire in more or less general terms into the working of the constitution as formulated under the Montagu-Chelmsford scheme. The Commission was actually set up in response to the Nationalist demand for the abolition of dyarchy, and for the

immediate grant to India of a Constitution similar to that enjoyed by the self-governing Dominions. The report of the Commission was much what might have been expected from its membership. The majority, representative of the Government, found that sufficient time had not yet elapsed since the introduction of the reforms to allow judgment to be passed upon their efficacy, and defended the institution of dyarchy by stating that, in their opinion, " except by some form of dualism, it was not possible to afford an equally valuable training towards responsible government in India and still to safeguard those conditions upon which government depends."

The Nationalist minority upon the Commission differed widely from these findings. They declared that dyarchy had proved itself to be a failure, and demanded the immediate establishment of a constitution which should embody India's right to self-government. The deadlock seemed to be as complete as ever, and in the summer of 1925 the Secretary of State, at this time Lord Birkenhead, invited Lord Reading to return to England for a personal conference as to the most suitable course to follow in Indian affairs. Upon his return to India, Lord Reading announced to the Legislature that the Government were willing to consider any scheme upon which the Indians themselves would agree, and to work out the details of such a scheme in co-operation with them. Further, if Indians showed a general desire to give the existing system a fair trial, the door would not be closed to an antedating of the statutory inquiry which,

under the Montagu-Chelmsford scheme, was due in 1929.

But Lord Reading's Viceroyalty was drawing to a close. On March 26th, 1926, he laid down the reins of the office which he had filled with such conspicuous devotion. He had succeeded in introducing the elements of self-government in most of the Provinces, and his great triumph was that he had, mainly by the force of his own personality, established constitutional and almost friendly relations between the parties in the Central Legislature. The menace of non-co-operation was at an end, and the struggle between Indian aspirations and British caution had entered upon the constitutional phase.

In many respects his term of office marks a definite chapter in Indian history. He came to India during a period of extreme difficulty, economic and financial as well as political. By his patience and forbearance he had contrived to avoid adding fresh fuel to the fire of Nationalist discontent, and had been careful to avoid giving the malcontents fresh grievances with which to strengthen their propaganda. Perhaps his policy and his achievements are best indicated by an extract from the last speech which he delivered before both Houses of the Legislature at Delhi.

" The differences which have occurred have arisen from honest divergences of opinion. There has been no difference in purpose; we have striven to attain the same end—the prosperity and happiness of India." Lord Reading declared that he had striven after many things: economic prosperity, the advance of India to a new status and dignity, the

encouragement of India to build up her own responsible institutions within the community of nations which form the Empire.

"Peace reigns in our borders," he concluded. "Internal disturbances have been set at rest; law and order have been vindicated and established; the financial situation has been stabilized, with beneficial reactions on the nation-building activities of the reformed Constitution. Conditions have been created which give a fair prospect to the development of India's resources, and the anxieties of Indian Moslem opinion have been allayed."

With these words Lord Reading laid down the burden of office as Viceroy of India.

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AN account of one of the most remarkable careers of modern times. The book relates Lord Reading's early triumphs at the Bar, his successful Parliamentary career, his tenure of high legal office as Attorney-General and Lord Chief Justice, his special Mission to the United States during the war, and his great services to the State as Viceroy of India.

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